

# List of planning applications and other proposals submitted under the planning acts to be determined by the director of environment and community services

## CIRCULATED SCHEDULE NO. 15/19

**Date to Members: 11/04/2019**

**Member's Deadline: 17/04/2019 (5.00pm)**

The reports listed over the page form the 'Circulated Schedule' a procedure agreed by Council in July 2018. Under the arrangement certain reports are circulated on a weekly basis. The reports assess the application, considers representations which have been received, and make a recommendation regarding the proposal.

Having considered the reports, those applications that Councillors feel should be referred to the relevant Planning Committee must be notified to the Strategic Planning section by email within five working days of the publication of the schedule (by 5pm) in line with the procedure set out below. If there has been no valid Member request for referral within the time period, the decision notices will be issued in line with the recommendation in this schedule.

Before referring an item to the Committee, it is recommended that Members speak to an officer about the issue, to explore whether any problems can perhaps be resolved without the need for referral to a Committee.

**PLEASE NOTE: The circulated schedule process is only open to elected Members of South Gloucestershire Council.**

## NOTES FOR COUNCILLORS

### – formal arrangements for referral to committee

**If any Member requires any of the proposals listed in the Schedule to be considered by the appropriate planning committee then a referral should:**

- a) Be made in writing using the attached form by emailing [MemberReferral@southglos.gov.uk](mailto:MemberReferral@southglos.gov.uk) identifying the application reference and site location
- b) Within 5 working days of the date of this schedule e.g. if the schedule is published on a Friday, comments have to be received by end of the following Thursday (see cover page for the date)
- c) The request in writing must be made in writing by at least two or more Members, not being Members of the same ward
- d) In addition, the request in writing must have the written support of at least one of the Development Management Committee Chair and Spokes Members
- e) The referral should include the reasons for the referral why it would not be appropriate to permit the proposal to be determined under the delegated arrangements; the issue the proposal raises in relation to the relevant policy context and the balanced consideration that has been given to the extra costs and delay to the referral
- f) Indicate whether you have discussed the application(s) with the Case Officer and/or Development Manager
- g) Indicate whether you have discussed the application(s) with ward Member(s) if the site is outside of your ward

**The Circulated Schedule will always contain the following applications unless the application is required to be determined by Committee:**

- 1) Any application submitted by, or jointly, or on behalf of the Council.
- 2) Any application submitted by or any matter directly affecting or involving any

Member of the Council and any application(s), submitted by an Officer of the Council working in the Strategic Planning area (specifically the Policy and Specialist Advice, Development Management, Strategic Major Sites and Planning Enforcement, Validation & Registration and Planning Technical Support teams) or any Member or Officer of the Council acting as a planning agent.

- 3) Any application requiring a new planning agreement.
- 4) Any applications requiring a modification of an existing planning agreement where in the opinion of the Director, there would be a detriment to the public benefits secured.

5) Any application where the proposed decision of the Director would, in his opinion, be contrary to the policies of the Council as expressed in the Development Plan and/or any emerging plan and require referral to the Secretary of State following approval in principle by the Council for the purposes of development control decision making.

6) Any applications, except those listed below a-f where three or more representations contrary to the Officers recommendation are received within the notification period other than from officers of the Council acting in their professional capacity.

7) Any applications, except those listed below a-f where a representation is received within the notification period which is contrary to the officers recommendation from the Parish or Town Council within whose boundary the proposal lies wholly or in part.

8) Any applications, except those listed below a-f where a representation is received within the notification period which is contrary to the officer's recommendation from any Member of South Gloucestershire Council.

Applications that will not appear of the Circulated Schedule procedure as a result of representations received:

- a. All applications, where approval is deemed to be granted upon the expiry of a defined period
- b. All applications to be determined the lawfulness of a proposed or existing use of a site
- c. All applications for non-material amendments
- d. All applications to discharge planning conditions
- e. All applications solely required because of the removal of Permitted Development Rights or Article 4 direction
- f. Any footpath stopping up or diversion required to implement an approved scheme

### **Additional guidance for Members**

Always make your referral request by email to [MemberReferral@southglos.gov.uk](mailto:MemberReferral@southglos.gov.uk) (not individual email addresses), where referrals can be picked up quickly by the Technical Support Team.

When emailing your circulated referral request, please ensure you attach the written confirmation from the Supporting Member(s) and Supporting Chair or Spokes

Please note a copy of your referral e mail will appear on the website.

Before referring an application always contact the case officer or Development Manager first to see if your concerns can be addressed without the application being referred.

If you are considering referring in an application outside the ward you represent, as a courtesy, speak to the ward Member(s) to see what their views are, before referring the application.

Always make your referral request as soon as possible, once you have considered all the application details and advice of the case officer. Please do not leave it to the last minute.

**A template for referral is set out below:**

## **Referral from Circulated Schedule to Development Management Committee**

1. Application reference number:

2. Site Location:

3. Reasons for referral:

The referral should include the reasons for the referral indicating why it would not be appropriate to permit the proposal to be determined under the delegated arrangements; the issues the proposal raises in relation to the relevant policy context and the balanced consideration that has been given to the extra costs and delay of the referral

4. If the site is outside your ward have you contacted the ward Member(s) to inform them of the referral?

5. Have you discussed the referral with the case officer or Development Manager?

a) Referring Member:

b) Details of Supporting Member(s) (cannot be same ward as Referring Member)

c) Details of Supporting Chair or Spokes Member of the Development Management Committee

**Do you consider this is an application of strategic importance such that you would request the Director to consider using his discretion to refer the matter to the Strategic Sites Delivery Committee? If so please set out your reasons:**

**Date:**

To be emailed to [MemberReferral@southglos.gov.uk](mailto:MemberReferral@southglos.gov.uk)

Schedule Number	Officers Deadline reports to support	Date to Members	Members deadline	Decisions issued from
15/19	Tuesday 9 <sup>th</sup> April	9am Thursday 11 April	5pm Wednesday 17 April	Thursday 18 April
16/19	12pm Tuesday 16 April	9am Wednesday 17 April	5pm Thursday 25 April	Friday 26 April

Dates and officer deadlines for Circulated Schedule Easter Bank Holidays 2019

# CIRCULATED SCHEDULE - 11 April 2019

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	<b>P19/0036/F</b>	Approve with Conditions	130 Parkwall Road Cadbury Heath South Gloucestershire BS30 8HA	Parkwall	Oldland Parish Council
2	<b>P19/1323/PDR</b>	Approve with Conditions	58 Hambrook Lane Stoke Gifford South Gloucestershire BS34 8QD	Frenchay And Stoke Park	Stoke Gifford Parish Council
3	<b>P19/1647/PDR</b>	Approve with Conditions	93 Palmers Leaze Bradley Stoke South Gloucestershire BS32 0HG	Bradley Stoke South	Bradley Stoke Town Council
4	<b>P19/2083/RVC</b>	Approve with Conditions	Land East Of Park Lane Coalpit Heath South Gloucestershire BS36 2HA	Frampton Cotterell	Frampton Cotterell Parish Council
5	<b>P19/2096/F</b>	Approve with Conditions	25 Belmont Drive Stoke Gifford South Gloucestershire BS34 8US	Stoke Gifford	Stoke Gifford Parish Council
6	<b>PK18/3769/MW</b>	Approve with Conditions	S I T A South Gloucestershire Ltd Tower Road South Warmley South Gloucestershire BS30 8BT	Parkwall	Oldland Parish Council
7	<b>PT17/3333/RM</b>	Approve with Conditions	Land West Of Catbrain Hill Cribbs Causeway South Gloucestershire BS10 7TH	Patchway	Almondsbury Parish Council
8	<b>PT18/6430/F</b>	Approve with Conditions	Winstone House Beacon Lane Winterbourne South Gloucestershire BS36 1JU	Winterbourne	Winterbourne Parish Council

## CIRCULATED SCHEDULE NO. 15/19 – 11 APRIL 2019

**App No.:** P19/0036/F

**Applicant:** Lewis Prosser

**Site:** 130 Parkwall Road Cadbury Heath  
Bristol South Gloucestershire BS30  
8HA

**Date Reg:** 21st January 2019

**Proposal:** Erection of 3 no. flats with access and  
associated works.

**Parish:** Oldland Parish  
Council

**Map Ref:** 366336 172285

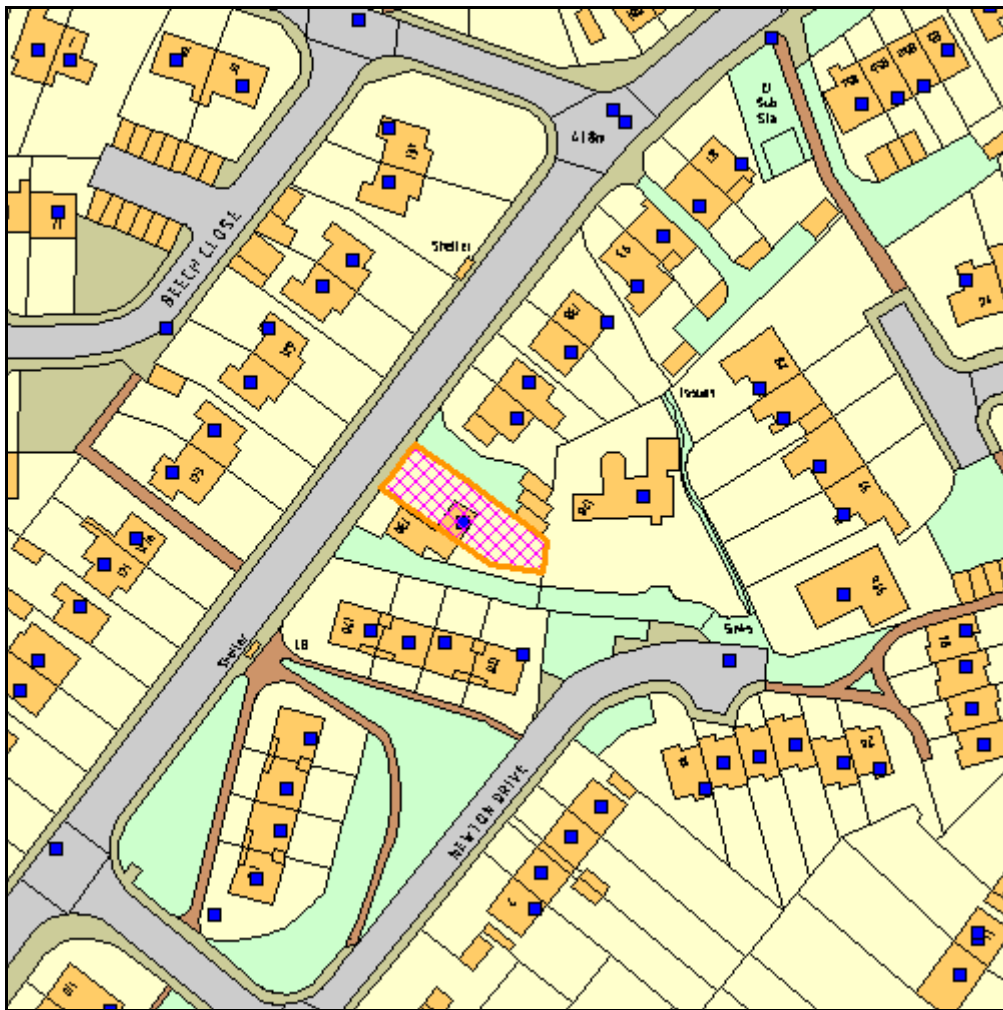
**Ward:** Parkwall

**Application** Minor

**Target** 18th March 2019

**Category:**

**Date:**



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P19/0036/F

South Gloucestershire Councillors have five working days from date of publication to consider whether items appearing on the Circulated Schedule should be referred to the Development Management or Strategic Sites Delivery Committees for determination.

**THIS APPLICATION IS REPORTED TO THE CIRCULATED SCHEDULE FOR THE FOLLOWING REASON(S)**

The Local Planning Authority has received objection from Oldland Parish Council and two local residents whilst the officer recommendation is one of approval.

**1. THE PROPOSAL**

- 1.1 Planning permission is sought for the development of a two storey building to provide 3 self contained flats. The development would include 3 off-street parking spaces and private and semi-private outdoor amenity space.
- 1.2 The site is located in the East Bristol Urban Area associated with Cadbury Heath. The site is associated with 130 Parkwall Road and currently forms part of its curtilage. A modest dwelling currently stands on the property which would be partially demolished to make way for the proposed development.

**2. POLICY CONTEXT**

2.1 National Guidance

National Planning Policy Framework March 2012

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design  
CS5 Location of Development  
CS8 Improving Accessibility  
CS9 Managing the Environment and Heritage  
CS15 Distribution of Housing  
CS16 Housing Density  
CS17 Housing Diversity  
CS29 Communities of the East Fringe of Bristol

South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017

PSP1 Local Distinctiveness  
PSP8 Residential Amenity  
PSP11 Traffic Impact Management  
PSP22 Unstable Land  
PSP38 Development within Existing Residential Curtilages, Including Extensions and New Dwellings  
PSP39 Residential Conversions, Sub-divisions, and Houses in Multiple Occupation  
PSP43 Private Amenity Space Standards



- 2.3 Supplementary Planning Guidance  
Design Checklist SPD (Adopted) 2007  
Residential Parking Standards SPD (Adopted) 2013

### 3. **RELEVANT PLANNING HISTORY**

- 3.1 PK17/1737/F Erection of 1no new dwelling with access and associated works.

Approved 14<sup>th</sup> July 2017

### 4. **CONSULTATION RESPONSES**

- 4.1 Oldland Parish Council  
Objection on the grounds of overdevelopment and impact upon off street parking, traffic and access.
- 4.2 Highway Authority  
No objections subject to a condition to secure the proposed car and cycle parking.
- 4.3 Highway Structures  
No objection
- 4.4 Lead Local Flood Authority  
No objection.
- 4.5 Coal Authority  
No objection subject to a planning condition to secure appropriate ground investigations in the context of the coal mining legacy associated with the locality.

#### **Other Representations**

- 4.6 Local Residents  
Two sets of comments have been received. The comments are made in objection and are summarised as follows;

Insufficient off street parking.

On street parking congested due to more than one person living in each flat as well as visitors.

The proposed parking does not allow a safe access as drivers would tend to reverse out onto the busy highway causing conflict.

The flats are not in keeping with the area.

## 5. **ANALYSIS OF PROPOSAL**

- 5.1 The site is located in the Bristol East Fringe and is contained within an established residential curtilage.
- 5.2 **Principle of Development**  
Policy CS5 of the South Gloucestershire Local Plan, Core Strategy is relevant to this proposal. The policy directs most new development (including housing development) in South Gloucestershire to the communities associated with the North and East Bristol Urban Areas. This development proposal would provide a purpose built building and introduce three new residential dwellings (flats) onto the site. The flats are arranged as 2 x 1 bed flats in the ground floor and a 2 bed flat on the first floor.
- 5.3 Furthermore, the site benefits from planning permission for the development of a single dwelling and access under PK17/1737/F. That permission remains extant and substantial weight is attributed to that factor.
- 5.4 The proposed development is therefore acceptable in principle, and subject to the following detailed considerations.
- 5.5 **Design Considerations**  
*Visual Impact* – The surrounding area is characterised by a wide variety of dwellings of differing scales and sizes. Planning permission PK17/1737/F approved a new dwelling on the site. The building which is now proposed is very similar in terms of its size, shape and scale. The key differences relate to the fenestration arrangement and entrances. Essentially, the front and rear door of the approved dwelling have been replaced with windows (at ground floor) and the Northeast elevation of the proposed building would include three doors to each flat respectively.
- 5.6 Officers are satisfied that the differences between the approved building and the building subject of this proposal are minor in nature and do not alter the scope of the approved development in terms of the visual impact in the context of the surrounding locality; and, remains consistent with the general character of the locality.
- 5.7 It is noted that the approved development also includes two off street parking spaces to the front of the dwellings. This application proposes three spaces. Whilst these spaces would be visible in the street scene, the addition of a further space would not result in a materially greater impact in visual terms.
- 5.8 *Density* – Officers note the concerns raised by Oldland Parish Council in respect to the over development of the site. The development of this site for three residential units would result in approximately 140 dwellings per hectare, which is high compared to the density of the wider area. However, as set out above, the proposed building is very similar in comparison with the approved dwellings. Whilst the density of the development would be high, this would not necessarily read as such from the public realm and the building would appear as a large house. Whilst the high density is noted, officers do not consider that this would be out of character with the wider locality.

5.9 Residential Amenity

As set out earlier in this report, the building now proposed is very similar in size, shape and scale to the approved building. There would be no materially greater impact in terms of the residential amenity of the occupants of adjoining or nearby residential dwellings.

5.10 Notwithstanding the above, the approved dwelling PK17/1737/F includes a good size private garden to the rear. This application proposes three residential flats albeit within a very similar building, and proposes to effectively subdivide the rear outdoor space into two areas.

5.11 Proposed 'flat 2' is situated on the ground floor with a rear facing aspect. This flat is allocated approximately 13.5 square metres of private amenity space. 'Flats 1 and 3' are allocated a communal space of approximately 27 square metres (this figure is adjusted to allow for reasonable access to the proposed bin and cycle store located in the rear outdoor area which cannot be included in communal area amenity space).

5.12 Policy PSP43 sets a minimum amenity space requirement at 5 sqm for a one bed flat and 5 sqm plus access to communal space for a two bed flat. Whilst the allocation of private space for flat 2 is compliant with the minimum standards, the allocation of communal space for flats 1 and 3 is not. In particular, it is noted that both flat 1 and 3 have not got direct access to private or communal areas of amenity space direct from the living areas.

5.13 Notwithstanding this factor, officers are mindful that the communal space would be shared by only two dwellings and that there is a relatively generous area to accommodate the amenity space. Whilst the responsibility of the occupants and/or owners of the area, officers are satisfied that the space can be adequately and properly managed in order to maintain an appropriate level of amenity for the occupants of the two flats. Officer also note that the site is in relatively close proximity and easy access to nearby public open spaces (Barrs Court Moat Park and Kingswood Remembrance Park).

5.14 In technical terms, the development does not comply with the minimum amenity space standards set out in policy PSP43. Nonetheless, officers are satisfied that the future occupants of the development would have access to good quality outdoor amenity space and this would outweigh the limited impact of the technical shortfall. As such there would be no material harm resulting from the approval of this planning application in respect of the amenity of the occupiers of the proposed flats. The proposed development is acceptable in this regard

5.15 Ground Conditions

The site is within the Coal Mining Referral Area and as such the Coal Authority has been consulted in respect of the potential for adverse ground conditions to affect the site. The applicant has submitted a In this instance the Coal Authority have confirmed that it has no objection in principle subject to the provision of detail ground assessment prior to the commencement of the development.

- 5.16 This information can be secured using an appropriately worded planning condition in the event that this application is approved. Subject to that condition, officers are satisfied that the proposed development is acceptable in this regard. The applicant has agreed to the use of a pre-commencement condition.
- 5.17 Highway Safety and Amenity  
The concerns raised by local residents and Oldland Parish Council are noted. In this instance, the proposed development would provide one parking space per residential unit. PSP16 sets the minimum standards for off street parking associated with residential development. A one bed dwelling requires 1 off street parking space and a two bed dwelling requires 1.5 spaces. In respect of this development 3.5 spaces off street parking spaces are required. In these circumstances, the accrued level of required parking is rounded *down* to the nearest whole number. Accordingly, officers are satisfied that the proposal meets the standards required by policy PSP16.
- 5.18 Parkwall Road is a busy main route in the area. However, it is restricted to 30 mph and the site has good visibility onto the main road. Whilst it is possible that the future occupants may choose to park vehicles forwards onto the site so requiring the reversing of private vehicles when egressing the site. However, this would not necessarily be the case at all times. Officers are satisfied that the impact of such movements would not result in a severe impact upon highway safety and as such does not warrant a refusal on those grounds.
- 5.19 Accordingly, the proposed development is acceptable in highway safety terms.
- 5.20 Consideration of likely impact on Equalities  
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.
- 5.21 With regards to the above this planning application it is considered to have a neutral impact on equality.

## **6. CONCLUSION**

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.

- 6.2 The recommendation to grant/refuse permission has been taken having regard to the policies and proposals in the development plan set out above, and to all the relevant material considerations set out in the report.

## **7. RECOMMENDATION**

- 7.1 That planning permission is granted subject to the following conditions.

**Contact Officer: Simon Penketh**  
**Tel. No. 01454 863433**

### **CONDITIONS**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).

2. The hours of working on site during the period of construction shall be restricted to 0730 - 1800 on Mondays to Fridays and 0800 - 1300 on Saturdays; and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted) November 2017

3. The off-street parking facilities (for all vehicles, including cycles) shown on the plan (Drawing no. PWR-01 Rev 1 as received by the Local Planning Authority on 21st January 2019) hereby approved shall make provision for the parking of a minimum of 3 vehicles (measuring at least 2.4m by 4.8m), and shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013; and Policy PSP16 South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted) November 2017

4. Prior to the commencement of any other development, the following shall be submitted to and approved by the Local Planning Authority, and then implemented in accordance with the approved details:

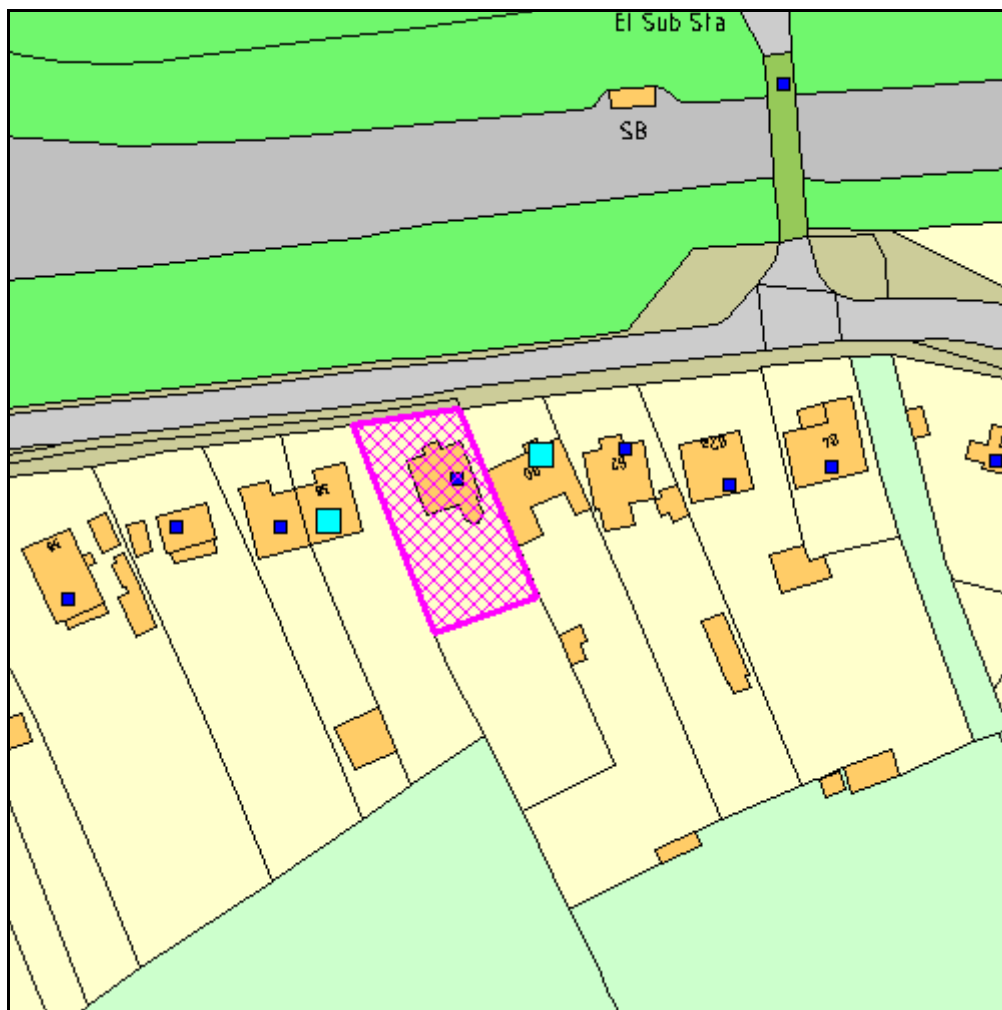
- (a) The submission of a scheme of intrusive site investigations for approval;
- (b) The undertaking of that scheme of intrusive site investigations;
- (c) The submission of a report of findings arising from the intrusive site investigations;
- (d) The submission of a scheme of remedial works for approval; and
- (e) The implementation of those remedial works.

Reason

To accord with policy CS9 of the South Gloucestershire Local Plan: Core Strategy (adopted) December 2013 and Policy PSP22 South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted) November 2017

**CIRCULATED SCHEDULE NO. 15/19 – 11 APRIL 2019**

<b>App No.:</b>	P19/1323/PDR	<b>Applicant:</b>	Mr And Mrs Sherlock
<b>Site:</b>	58 Hambrook Lane Stoke Gifford Bristol South Gloucestershire BS34 8QD	<b>Date Reg:</b>	5th February 2019
<b>Proposal:</b>	Erection of single storey side extension to form additional living accommodation.	<b>Parish:</b>	Stoke Gifford Parish Council
<b>Map Ref:</b>	363006 179524	<b>Ward:</b>	Frenchay And Stoke Park
<b>Application Category:</b>		<b>Target Date:</b>	1st April 2019



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P19/1323/PDR

South Gloucestershire Councillors have five working days from date of publication to consider whether items appearing on the Circulated Schedule should be referred to the Development Management or Strategic Sites Delivery Committees for determination.

### **REASON FOR SUBMISSION TO THE CIRCULATED SCHEDULE**

This application has been submitted to the Council's Circulated Schedule procedure as comments received from the Parish Council have been contrary to the Officer's recommendation.

## **1. THE PROPOSAL**

- 1.1 The application seeks full planning permission for the erection of a single storey side extension to form additional living accommodation at 58 Hambrook Lane, Stoke Gifford.
- 1.2 The application site relates to a detached bungalow which is located within a residential area of Stoke Gifford.
- 1.3 A revised site location plans and existing/proposed site plan were submitted on 12<sup>th</sup> March 2019. These show a corrected "red line boundary" to more accurately reflect land ownership.

## **2. POLICY CONTEXT**

### **2.1 National Guidance**

National Planning Policy Framework February 2019  
National Planning Policy Guidance

### **2.2 Development Plans**

#### **South Gloucestershire Local Plan Core Strategy Adopted December 2013**

CS1	High Quality Design
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development

#### **South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017**

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP11	Transport
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages
PSP34	Private Amenity Standards

### **2.3 Supplementary Planning Guidance**

South Gloucestershire Design Checklist (Adopted 2007)  
Residential Parking Standards SPD (Adopted) 2013



### **3. RELEVANT PLANNING HISTORY**

#### **3.1 PT04/1001/F**

Demolition of existing bungalow and garage to facilitate erection of new detached dwelling with garage.

Approved with conditions: 29/04/2004

### **4. CONSULTATION RESPONSES**

#### **4.1 Stoke Gifford Parish Council**

The Parish Council objects to this application; concerns regarding the impact of the proposal on the neighbouring property.

#### **4.2 Archaeology Officer**

No comment.

### **Other Representations**

#### **4.3 Local Residents**

One letter of objection has been received from a local resident and is summarised as follows:

- The site plan is inaccurate and does not reflect land ownership
- The extension will have an unacceptably dominating effect on my property
- Block light to my office during the afternoon
- Frontage of no.58 will look irregular
- The foundations will need to extend under my property which will cause disruption
- Ongoing access along my path is required
- Digging activity may increase flooding issues

### **5. ANALYSIS OF PROPOSAL**

#### **5.1 Principle of Development**

Policy PSP38 of the South Gloucestershire Policies, Sites and Places Plan (adopted) November 2017 is relevant to this application. The policy indicates that residential extensions are acceptable in principle subject to considerations of visual amenity, residential amenity and highway safety.

#### **5.2 Design and Visual Amenity**

Policy CS1 of the Core Strategy and policy PSP38 of the Policies, Sites and Places Plan seek to ensure that development proposals are of the highest possible standards and design. This means that developments should have appropriate: siting, form, scale, height, massing, detailing, colour and materials which are informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.

#### **5.3**

The proposed single storey side extension will project from the existing side elevation of the dwellinghouse by approximately 2.3 metres, have a depth of 3.4 metres and have a maximum height of 4 metres. It will feature a pitched roof, a window and roof light to the front elevation and a roof light to the rear elevation. The proposed materials will match the existing dwellinghouse. A

local resident has raised that the proposed extension will make the frontage appear irregular and will look abnormal from their property. Whilst it is acknowledged that this extension will result in the frontage of the dwelling to appear more irregular than at present, this is not considered to be harmful to the character of the dwelling. The modest size, its siting flush to the frontage of the existing dwelling and pitched roof design give it a similar character to the existing dwelling. From the perspective of the neighbouring property, it is not considered that the proposal will appear abnormal due to its modest form and design which compliments the main dwellinghouse. Overall, it is not considered that the design of the proposal is harmful to the character of the existing dwelling or the visual amenity of the area and therefore complies with policies CS1 and PSP38.

5.4 Residential Amenity

Policy PSP8 of the PSP Plan (Adopted November 2017) sets out that development within existing residential curtilages should not prejudice residential amenity through overbearing; loss of light; and loss of privacy of neighbouring occupiers.

- 5.5 The residential amenity of the neighbouring and surrounding occupiers has been considered. Due to the location of the proposal, the residential amenity of the occupiers of no.60 has been given due consideration. Concerns have been raised that the proposal will block light to the office room of the property, located to the front. The frontages of these properties face a northerly direction. The sun moves from east to west over the course of the day, to the rear of these dwellings. The proposal may therefore cause some additional shadowing in the afternoon. However, the proposal is of a modest height, which is lower than the ridge of the existing building and has a modest depth and so it is considered that any additional overshadowing is somewhat limited by this. Although there will be some impact to this window, it is not thought that this will be to an unacceptable level which would warrant a refusal reason. Due to its modest form, the proposal is unlikely to be significantly overbearing. The Parish Council have objected in terms of the impact to the neighbour. Officers are satisfied that although there will be some impact to the neighbouring occupier, this will not be unacceptable.

- 5.6 The proposal will occupy additional floor space. However, sufficient private amenity space will remain after the development and there is no objection in this regard.

- 5.7 The proposal is not considered to have a unacceptable impact on the residential amenity of the neighbouring or surrounding occupiers. The proposal is therefore considered to comply with policy PSP8 of the Policies Sites and Places (2017) Plan.

5.8 Transport

The proposal will not create additional bedrooms, nor alter existing parking provision and so there is no objection on transportation grounds.

#### 5.9 Other Matters

The location plan was corrected to show the site boundary; this satisfies part of a local resident's objection. It has been raised that the 1 metre access path which runs adjacent to the site is needed for critical and on-going access. The proposal will be constructed within land owned by the neighbouring occupier (as shown on the revised plans). Should the development involve use of the adjacent path, this will be a civil matter to agree access and is therefore not a necessary consideration for this application. Whilst officers acknowledge that there are on-going flooding issues which the neighbour is trying to resolve, these cannot be solved within the remit of planning. Should the build of the proposal compound these issues, this would be a civil matter to resolve and has therefore been given limited weight.

#### 5.10 Consideration of likely impact on Equalities

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.

5.11 With regards to the above this planning application it is considered to have a neutral impact on equality.

### 6. CONCLUSION

6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.

6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the development plan set out above, and to all the relevant material considerations set out in the report.

### 7. RECOMMENDATION

7.1 That the application is **APPROVED** subject the conditions on the decision notice.

**Contact Officer: Isabel Daone**  
**Tel. No. 01454 863787**

## **CONDITIONS**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

### Reason

To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).

2. The development hereby approved shall be implemented strictly in accordance with the following plans:

PL01. Existing Ground Floor Plan. Received by the Local Planning Authority 5th February 2019

PL02C. Existing Site Plan. Received by the Local Planning Authority 12th March 2019

PL03A. Location Plan. Received by the Local Planning Authority 12th March 2019

PL04. Existing Elevations. Received by the Local Planning Authority 5th February 2019

PL05. Proposed Ground Floor Plan. Received by the Local Planning Authority 5th February 2019

PL06C. Proposed Site Plan. Received by the Local Planning Authority 12th March 2019

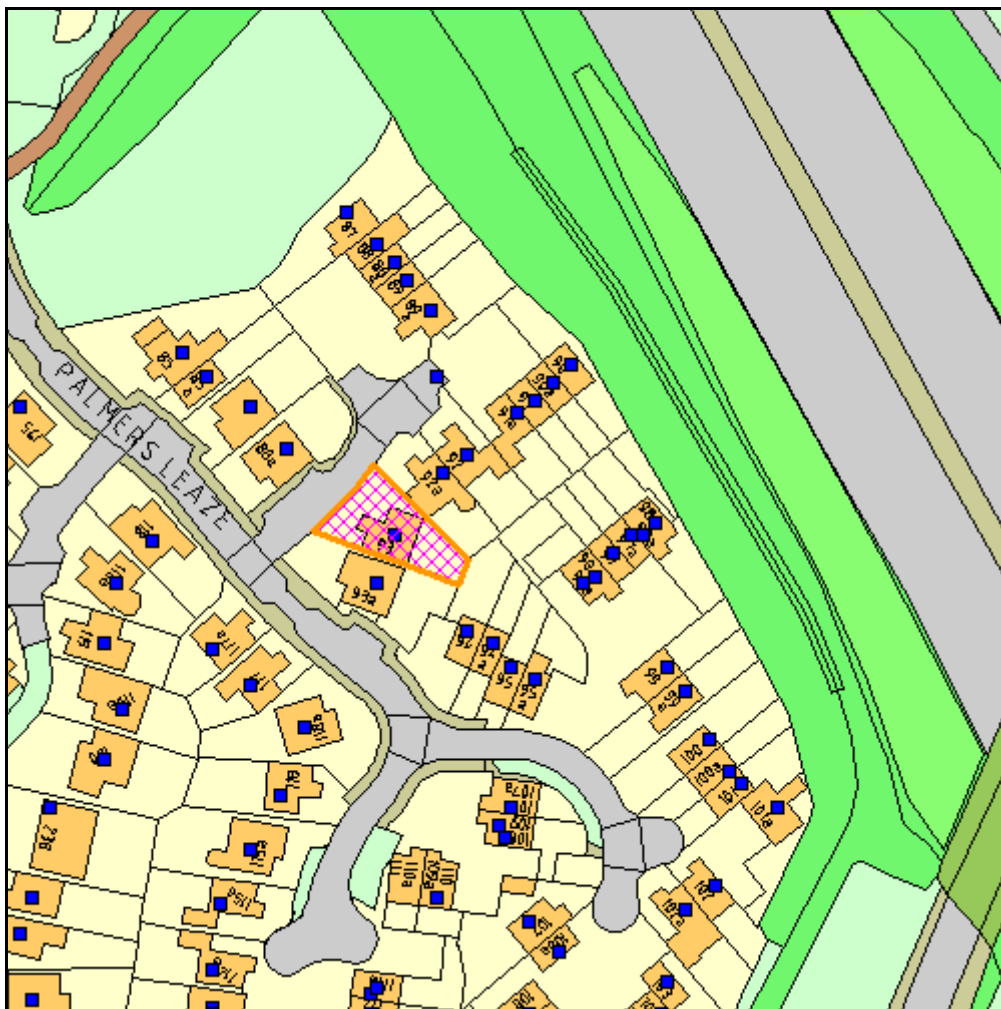
PL07. Proposed Elevations. Received by the Local Planning Authority 5th February 2019

### Reason

For the avoidance of doubt

**CIRCULATED SCHEDULE NO. 15/19 – 11 APRIL 2019**

<b>App No.:</b>	P19/1647/PDR	<b>Applicant:</b>	Mr David Harris
<b>Site:</b>	93 Palmers Leaze Bradley Stoke Bristol South Gloucestershire BS32 0HG	<b>Date Reg:</b>	4th March 2019
<b>Proposal:</b>	Removal of rear garage door, insertion of window.	<b>Parish:</b>	Bradley Stoke Town Council
<b>Map Ref:</b>	363376 180881	<b>Ward:</b>	Bradley Stoke South
<b>Application Category:</b>	Householder	<b>Target Date:</b>	26th April 2019



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South Gloucestershire Councillors have five working days from date of publication to consider whether items appearing on the Circulated Schedule should be referred to the Development Management or Strategic Sites Delivery Committees for determination.

### **REASON FOR SUBMISSION TO THE CIRCULATED SCHEDULE**

This application has been submitted to the Council's Circulated Schedule procedure as comments received from the local Parish Council have been contrary to the Officers recommendation.

## **1. THE PROPOSAL**

- 1.1 The application seeks full planning permission for the removal of the rear garage door and its replacement with a window to facilitate a garage conversion.
- 1.2 The application site relates to a two-storey, semi-detached property located in a residential area of Bradley Stoke.
- 1.3 Permitted Development Rights were removed at the property under Condition 5 of planning application ref. P92/0020/343

## **2. POLICY CONTEXT**

### **2.1 National Guidance**

National Planning Policy Framework February 2019  
National Planning Policy Guidance

### **2.2 Development Plans**

#### **South Gloucestershire Local Plan Core Strategy Adopted December 2013**

CS1	High Quality Design
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development

#### **South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017**

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP11	Transport
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages
PSP34	Private Amenity Standards

### **2.3 Supplementary Planning Guidance**

South Gloucestershire Design Checklist (Adopted 2007)  
Residential Parking Standards SPD (Adopted) 2013

### **3. RELEVANT PLANNING HISTORY**

#### **3.1 P92/0020/343**

Residential development on 4.85 acres of land to include the erection of 79 dwellings and associated garages; provisions of car parking facilities; construction of estate roads; (in accordance with the amended plans received by the council on 4th November 1992) (to be read in conjunction with P84/20/1)  
Approved with conditions: 11/11/1992

### **4. CONSULTATION RESPONSES**

#### **4.1 Bradley Stoke Town Council**

The Town Council objected to this planning application on the following grounds:

- Insufficient information supplied relating to the use of the garage and subsequent parking provision.

#### **4.2 Other Consultees**

Insufficient information has been submitted to allow a full transportation assessment.

*No comments were received from DC Transport after the requested information was submitted.*

#### **Other Representations**

#### **4.3 Local Residents**

No comments received.

### **5. ANALYSIS OF PROPOSAL**

#### **5.1 Principle of Development**

Policy PSP38 of the South Gloucestershire Policies, Sites and Places Plan (adopted) November 2017 is relevant to this application. The policy indicates that residential extensions are acceptable in principle subject to considerations of visual amenity, residential amenity and highway safety.

#### **5.2 Design and Visual Amenity**

Policy CS1 of the Core Strategy and policy PSP38 of the Policies, Sites and Places Plan seek to ensure that development proposals are of the highest possible standards and design. This means that developments should have appropriate: siting, form, scale, height, massing, detailing, colour and materials which are informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context

#### **5.3**

The proposal involves the replacing of the rear garage access door with a small window, to facilitate an internal garage conversion. There are no objections on design terms; the addition of a window to the rear elevation will not harm the character of the existing dwelling or the locality. Furthermore, the proposed materials will match the existing. It is therefore considered to comply with policies PSP38 and CS1.

5.4 Residential Amenity

Policy PSP8 of the PSP Plan (Adopted November 2017) sets out that development within existing residential curtilages should not prejudice residential amenity through overbearing; loss of light; and loss of privacy of neighbouring occupiers.

- 5.5 Due to the location and nature of the proposal, it is not considered that it will have a detrimental impact on the residential amenity of the neighbouring or surrounding occupiers and is considered to comply with policy PSP8.

5.6 Transport

The Transport Officer and Town Council have commented that insufficient information has been submitted in order to assess parking. A block and floor plan was submitted on 28<sup>th</sup> April. Having assessed the plans, the Case Officer does not consider that the submitted plans are drawn correctly to scale and has therefore referred to more accurate sources which have allowed an assessment to be made. From a site visit and examining other sources, it is considered that only 1 car can park on the paved part of the driveway as existing. Whilst the garage could be used for parking, officers consider that the internal dimensions are less than the 3 metres x 6 metres required to count towards the parking provision at the property. As a result of the sub-standard garage, the property only has one parking space. The internal garage conversion will therefore not alter the existing parking arrangement and the status quo will be maintained. Paragraph 109 of the NPPF states that “development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”. Officers do not consider that the proposal will cause an unacceptable impact on the highway, nor create a severe cumulative impact on the road network. It would therefore be unreasonable to refuse the application on highways grounds.

- 5.7 Although the insertion of a window and bricking up of the rear wall requires planning permission, due to the removal of the permitted development rights at the property, the internal conversion of a garage would not require planning permission as it does not constitute development under Section 55 of the Town and Country Planning Act.

- 5.8 Overall, officers are satisfied that the proposal will not have an unacceptable or cumulative severe impact on the highway or road network and it would be unreasonable to refuse the application on these grounds.

5.9 Consideration of likely impact on Equalities

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It



requires equality considerations to be reflected into the design of policies and the delivery of services.

- 5.10 With regards to the above this planning application it is considered to have a neutral impact on equality.

## **6. CONCLUSION**

6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.

6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the development plan set out above, and to all the relevant material considerations set out in the report.

## **7. RECOMMENDATION**

- 7.1 That the application be **APPROVED** subject to the conditions on the decision notice.

**Contact Officer: Isabel Daone**  
**Tel. No. 01454 863787**

## **CONDITIONS**

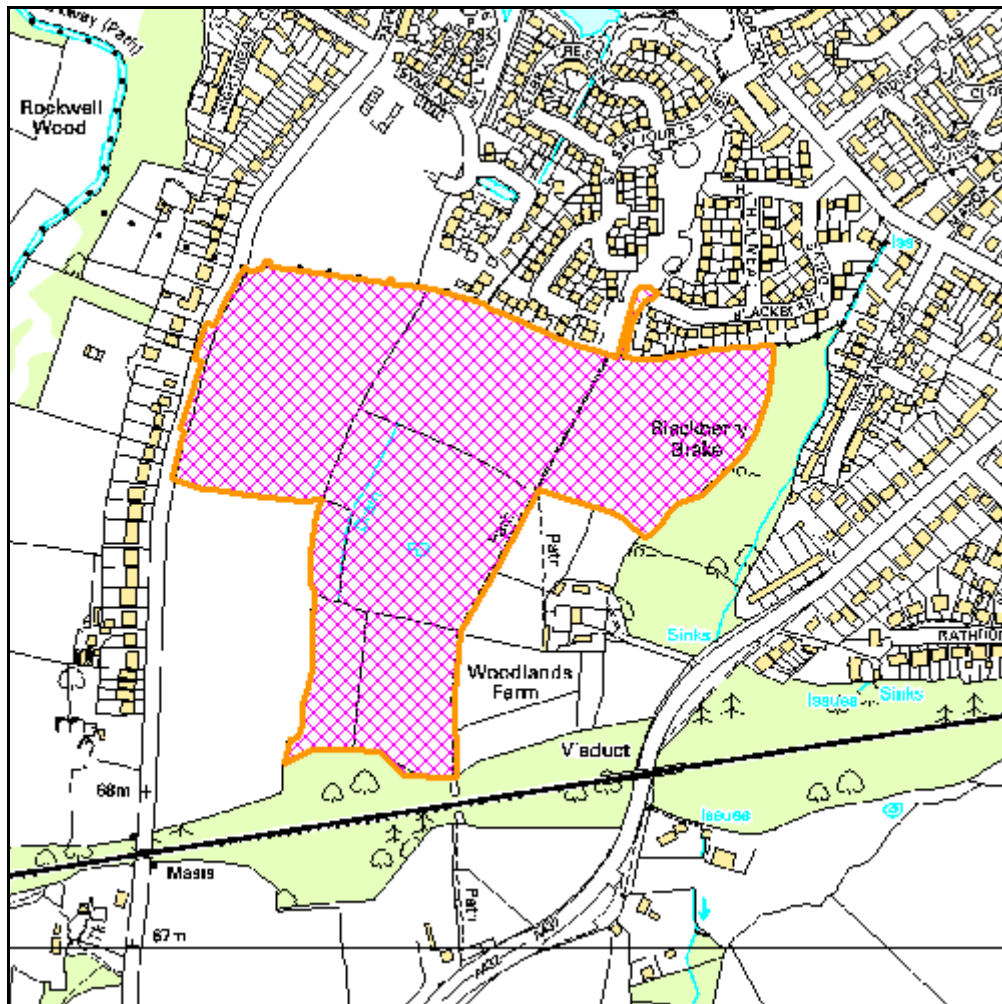
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).

**CIRCULATED SCHEDULE NO. 15/19 – 11 APRIL 2019**

<b>App No.:</b>	P19/2083/RVC	<b>Applicant:</b>	Mr Sam Poole BDW Trading Ltd
<b>Site:</b>	Land East Of Park Lane Coalpit Heath Bristol South Gloucestershire BS36 2HA	<b>Date Reg:</b>	25th February 2019
<b>Proposal:</b>	Erection of up to 215no dwellings with public open space and associated infrastructure. Outline application with access for consideration, including variation of condition 13 attached to planning application PT17/0215/O (allowed at appeal) to change the wording so a Public Art scheme can be submitted separately- all other matters reserved.	<b>Parish:</b>	Frampton Cotterell Parish Council
<b>Map Ref:</b>	366435 180698	<b>Ward:</b>	Frampton Cotterell
<b>Application Category:</b>	Major	<b>Target Date:</b>	24th May 2019



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South Gloucestershire Councillors have five working days from date of publication to consider whether items appearing on the Circulated Schedule should be referred to the Development Management or Strategic Sites Delivery Committees for determination.

## **REASON APPLICATION REFERRED TO THE CIRCULATED SCHEDULE**

The application has been placed on the Circulated Schedule because five representation letters have been received from neighbouring properties.

### **1. THE PROPOSAL**

1.1 The application proposes a variation of condition 13 attached to outline planning permission PT17/0215/O for the erection of up to 215 dwellings at land east of Park Lane, Coalpit Heath. The variation of condition 13 would have the effect of requiring the public art scheme for the development to be submitted at a later date, rather than as part of application(s) for reserved matters. Planning permission PT17/0215/O was allowed following an appeal of the original refusal. A reserved matters application for 204 dwellings (ref. PT18/6313/RM) has been submitted and has not yet been determined.

1.2 The original condition 13 reads as follows:

*“Prior to the construction of the dwellings hereby approved, a public art plan for a unique site specific integrated scheme of Public Art (including timescales and triggers) to be implemented within the development site shall be submitted to the Local Planning Authority for approval in writing with detailed designs to be submitted and approved as part of the reserved matters. For the avoidance of doubt the submission shall be prepared in line with recommendations in the Council's Art and Design in the Public Realm - Planning Advice Note. Thereafter the artwork/s shall be installed in accordance with the details so agreed and retained as such.”*

1.3 The application requests the condition to be changed to the following:

*“Prior to the occupation of the dwellings hereby approved, a public art brief for a unique site specific integrated scheme of Public Art (including timescales and triggers) to be implemented within the development site shall be submitted to the Local Planning Authority for approval in writing. For the avoidance of doubt the submission shall be prepared in line with recommendations in the Council's Art and Design in the Public Realm - Planning Advice Note. Thereafter the artwork/s shall be installed in accordance with the details so agreed and retained as such.”*

1.4 The applicant has stated that providing detailed designs for the public art as part of the reserved matters is unachievable due to the lengthy public engagement and interview process involved prior to appointing an artist and before the detailed design of the public art can even take place, and it would cause unnecessary and significant delay to the reserved matters application and the construction of dwellings.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

## 2.2 Development Plans

### South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS23 Community infrastructure and Cultural Activity

### South Gloucestershire Local Plan Policies, Sites and Places Plan Adopted November 2017

PSP1 Local Distinctiveness

PSP2 Landscape

## 2.3 Supplementary Planning Guidance

The South Gloucestershire Design Checklist SPD (adopted August 2007)

## 2.4 Other Documents

Frampton Cottrell and Coalpit Heath Village Design Statement

Art and Design in the Public Realm - Planning Advice Note

## 3. RELEVANT PLANNING HISTORY

- 3.1 PT17/0215/O- Erection of up to 215no dwellings with public open space and associated infrastructure. Outline application with access for consideration - all other matters reserved. Allowed on appeal 6<sup>th</sup> September 2018.
- 3.2 PT18/6313/RM- Erection of 204 no dwellings with landscaping, appearance, layout, scale and associated works. (Reserved matters application to be read in conjunction with Outline Planning Permission PT17/0215/O). Pending consideration.

## 4. CONSULTATION RESPONSES

- 4.1 Frampton Cotterill Parish Council were consulted but have not commented.
- 4.2 Arts and Development Officer: They are getting on with the public art so happy for the condition to be amended in this instance. Rather than the wording of the condition suggested by the applicant, has suggested an artist be appointed prior to commencement on site, concept designs to be produced no more than three months after that and detailed designs no more three months after that, with each stage to be agreed by the Local Planning Authority.
- 4.3 Drainage Officer: The Drainage and Flood Risk Management Team has no objection.
- 4.4 Ecology Officer: There are no ecological constraints to granting planning permission.
- 4.5 Housing Enabling Officer: As this RVC application relates to a change in in the wording of condition 13 which relates to public art, Housing Enabling raises no objection.
- 4.6 Public Rights of Way Officer: No further comments on this.

- 4.7 Transport Development Control Officer: It is noted that this planning application seeks to vary a condition (ref. 13) placed on the permission granted for the erection of a new dwellings on land east of Park Lane, Coalpit Heath. As it is understood that this condition relates to public art, there are no comments about this application.
- 4.8 Coal Authority: This variation of condition application relates to a non-coal mining related matter. As such, the Coal Authority wishes to raise no objection to the application. This is subject to the re-imposition on any new permission granted of the requirements of Condition 19 as included in the Planning Inspectorate Appeal Decision, which relates to measures to be taken to ensure the safety and stability of the proposed development.
- 4.9 Highways England: Has no objections to the proposal.
- 4.10 Historic England: On the basis of the information available to date, in their view do not need to notify them of this application under the relevant statutory provisions.
- 4.11 Natural England: No comment to make on the variation of condition 13.
- 4.12 Fisher German (on behalf of Esso Petroleum Co Ltd): Do have apparatus situated near the proposed works. Have no objections to the proposals so long as the "Special Requirements for Safe Working" booklet and the covenants contained in the Deed of Grant are adhered to.

### **Other Representations**

- 4.13 Five objections have been received from local residents which are summarised as follows:
- Watering down the requirement from a Public Art Plan to a Public Art Brief is totally inappropriate for a site of this size and with so much importance to local residents;
  - It is important that the Public Art Plan is done before building commences so that it can be harmonised with the overall scheme for the site;
  - It should be made sure that the applicant puts as much effort into the non-profit making aspects of this development as with the construction and selling of the houses;
  - Development is not in the interest of the wider community;
  - The development makes no provision for the impact on the local infrastructure or community;
  - The development does not address environment or health risks introduced;
  - The plans submitted do not make a sustainable contribution to an already congested area;
  - Further consultation is required with the Parish Council and community to remedy the impacts of the development;
  - Frampton Cotterill and Coalpit Heath are struggling to deal with traffic and commuting within the area already and the development will cause mayhem without any decent transport in and out of town;
  - The fields are beautiful and the walks are rare these days. Soon there will be no green left;

- This change favours the convenience of the developer over the Council having opportunity to approve and as such appears to allow a step in the approvals process to be missed;
- Wish for the condition to remain the same.

## 5. **ANALYSIS OF PROPOSAL**

### Principle of Development

- 5.1 The principle of residential development on the site has been established through the appeal decision granting outline planning permission for such development of this site. It therefore is not reasonable to consider the principle of residential development again in determining this application, and the only consideration is the impact of the variation of the condition for the provision of public art as requested.
- 5.2 Ensuring an appropriate and integrated public art scheme for the site is an important part of creating a sense of place in the new residential development. There was no detail provided on public art as part of the outline planning application, and this is the reason why a condition was recommended to be attached to any grant of outline planning permission requiring that a public art plan was submitted as part of any application for reserved matters approval.
- 5.3 However, it is recognised that ensuring a public art scheme is carried out in accordance with best practice, including selecting an artist and designing a high quality scheme in detail, is a lengthy process. It is also recognised that in this case the applicant has already employed an art consultant, who has been liaising with the Council's Arts and Development Officer on the production of a Public Art Brief for the site, so has shown a commitment to engaging in this process.
- 5.4 While the provision of public art in the scheme is an important issue, given there has been progress on this matter, it is not considered reasonable to turn down the request to vary the condition and hold up the progress of a reserved matters application for development on the site while an artist is appointed and detailed designs are drawn up. In addition, insisting it is part of a reserved matters application that has already been submitted potentially raises a concern that the production of the public art scheme could end up being rushed and be of lesser quality to fit in with a timetable for this, rather than if additional time was taken to appoint a suitable artist and come up with designs.
- 5.5 In respect of the wording of a varied condition 13, changes are recommended from the wording proposed by the applicant and the recommended condition is as follows:
- "Prior to any dwellings hereby approved being constructed above damp proof course level, a Public Art Brief for a scheme of Public Art for the development site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the artwork/s shall be installed in accordance with the approved details and retained as such."*
- 5.6 These have the effect of requiring a Brief to be approved towards the beginning of the site being built out, as it is considered that agreeing a Brief prior to beneficial

occupation is potentially too late in the build process to ensure a timely installation of artworks. The details of what is to be in that brief will be included as an informative note attached to any decision notice approving a variation of the condition, and the informative note will state that the brief must cover the following issues:

- The brief must be in accordance with the Art and Design in the Public Realm - Planning Advice Note;
- The artwork must be site specific and integrated into the development scheme;
- The brief must provide for the Local Planning Authority (in consultation with the Arts and Development Officer) to approve the artist prior to appointment, including a timescale for this;
- A timescale for concept designs to be approved by the Local Planning Authority (in consultation with the Arts and Development Officer);
- A timescale for detailed designs to be approved by Local Planning Authority (in consultation with the Arts and Development Officer);
- A timescale for implementation to be approved by Local Planning Authority (in consultation with the Arts and Development Officer).

### Other Considerations

- 5.7 Notwithstanding the above, it is acknowledged that at present the locations of the public art are not known and knowledge of these would help to ensure that the design and layout of the site is planned for with public art integrated into the development scheme, particularly in ensuring it is properly planned into Public Open Spaces. However, it is considered that this aspect of providing the public art can be addressed through providing further information about locations in the reserved matters application currently submitted. An informative note will be added to any decision notice approving the variation of the condition, advising that this issue shall be addressed in this way.
- 5.8 Turning to the comments of neighbours that have not been addressed above, it is considered that the Public Art Brief to be submitted is a satisfactory mechanism to deliver a public art scheme on the site and is not “watering down” the quality of what is expected from the developer. It is not considered that the proposed variation of the condition has any further impacts on the local area in terms of sustainability, environmental concerns, drainage, amenity, traffic, transport, infrastructure, ecology, and existing landscape and open space, than the outline planning permission already granted.
- 5.9 It has also been noted that the details of the archaeology condition on the outline planning permission (condition 18) have been submitted, but not yet discharged, and are required by that decision to be discharged prior to a reserved matters application being submitted. However, a reserved matters application has already been submitted, and to avoid issuing a decision notice that cannot be complied with, this has been altered in the recommendation below to require that these details are submitted to and approved prior to the determination of a reserved matters application. This is not considered to impact on the protection of any archaeology present on the site. Some further minor alterations are recommended to conditions to cover issues such as ensuring a decision notice complies with the requirement not to

extend the time limit for submission of reserved matters applications and updating Local Plan Policies in the reasons for the conditions.

#### Consideration of likely impact on Equalities

- 5.10 The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.
- 5.11 With regards to the above this planning application it is considered to have a neutral impact on equality.

#### **6. PLANNING OBLIGATIONS AND COMMUNITY INFRASTRUCTURE LEVY**

- 6.1 This application does not impact on the provisions of the Section 106 Agreement signed as part of outline planning permission PT17/0215/O.
- 6.2 The proposed development is liable for the payment of the Community Infrastructure Levy and this application has no further impact on this charge.

#### **7. CONCLUSION**

- 7.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 4.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the development plan set out above, and to all the relevant material considerations set out in the report.

#### **8. RECOMMENDATION**

That the variation of condition 13 of PT17/0215/O is granted subject and other conditions are repeated with minor alterations where necessary as set out below.

**Contact Officer: Helen Winsall**  
**Tel. No. 01454 865911**

#### **CONDITIONS**

1. The development must take place in accordance with the following plans and reports:

Received by the Council on 17th July 2017:



Received by the Council in May 2017:  
Scale Parameter Plan 19294 9602 E  
Green Infrastructure Parameter Plan 19294 F  
Land Use & Access Parameter Plan 19294 9601 F  
Site Location Plan 19294 9001 A

Received by the Council on 25th January 2017:  
Proposed Site Access General Arrangement in Transport Assessment Appendix I  
04255-HYD-XX-XX-DR-TP-2000P2

Received by the Council on 17th January 2017:  
Density Plan 19294 9603 D

Reason:

In order to define the planning permission. To ensure a satisfactory external appearance of individual buildings and the wider development in the interests of the visual amenity of the area and to accord with Policies CS1, CS2 and CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013 and Policies PSP1 and PSP17 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (adopted) November 2017.

2. Approval of the details of the layout, scale and appearance of the buildings to be erected, and the landscaping of the site (hereinafter called "the reserved matters") for each phase shall be submitted to and approved in writing by the Local Planning Authority in writing before any development is commenced.

Reason:

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

3. Applications for the approval of the reserved matters shall be made to the Local Planning Authority by 6<sup>th</sup> September 2020.

Reason:

To comply with the requirements of Sections 91 and 92 of the Town & Country Planning Act 1990 (as amended) and to ensure that housing is delivered as quickly as possible on the site.

4. The development hereby permitted shall be begun either by 6<sup>th</sup> September 2021, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason:

To comply with the requirements of Sections 91 and 92 of the Town & Country Planning Act 1990 (as amended).

5. The first reserved matters submitted pursuant to condition 2 shall include a site wide phasing plan to indicate the scale and sequence of build out including the relationship of dwellings to the delivery of infrastructure. The development shall be carried out in accordance with the agreed details.

Reason:

To ensure that the development is comprehensively planned, designed and phased to ensure that the provision of the different land uses within the site are delivered and protected in order to comply with the relevant policies in the Development Plan.

6. The reserved matters applications submitted pursuant to condition 2 shall include a detailed delivery framework for the self-build housing. The development shall be carried out in accordance with the approved strategy.

Reason:

To ensure that self-build units are delivered at the site to an acceptable standard and in the interests of the character and visual amenity of the area and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and Policies PSP1 and PSP17 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (adopted) November 2017.

7. A site specific Construction Environmental Management Plan (CEMP), shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of development. The CEMP as approved by the Council shall be fully complied with at all times.

The CEMP shall address the following matters:

- (i) Measures to control the tracking of mud off-site from vehicles;
- (ii) Measures to control dust from the demolition and construction works approved;
- (iii) Adequate provision of fuel oil storage, landing, delivery and use, and how any spillage can be dealt with and contained;
- (iv) Adequate provision for the delivery and storage of materials;
- (v) Adequate provision for contractor parking;
- (vi) A lorry routing schedule;
- (vii) Temporary access arrangements for construction traffic;
- (viii) Details of Main Contractor including membership of Considerate Constructors scheme;
- (ix) Site Manager contact details;
- (x) Processes for keeping local residents informed of works being carried out and dealing with complaints.

Reason:

In the interests of highway safety and residential amenity and to accord with Policies PSP11 and PSP21 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (adopted) November 2017.

8. No dwelling shall be occupied until the highway linking that dwelling to the existing public highway has been provided with street lighting, completed to base course level for the carriageway and surface course level for the footway or shared surface, all in accordance with details to be submitted to and approved by the Local Planning Authority.

Reason:

In the interests of highway safety, to ensure all dwellings are provided with a safe and suitable access and to accord with Policy PSP11 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (adopted) November 2017.

9. No dwelling shall be occupied until car and cycle parking has been provided for that dwelling in accordance with details to be submitted to and approved by the Local Planning Authority.

Reason:

In the interest of highway safety and to accord with Policy PSP16 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (adopted) November 2017.

10. The plans and particulars submitted as part of condition 2 for the relevant Reserved Matters shall include a scheme of vehicular access for the allotments. Car parking for the allotments shall be provided in accordance with the agreed details prior to the first use of the allotments.

Reason:

In the interests of highway safety and the amenities of the area and to accord with Policy PSP11 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (adopted) November 2017.

11. The plans and particulars to be submitted in accordance with condition 2 shall include:

1. An Arboricultural Impact Assessment;
2. An Arboricultural Method Statement;
3. A Tree Protection Plan;
4. An engineering plan showing all services outside the RPAs of retained trees. All fencing to be in accordance with BS5837 2012 Trees in Relation to Construction and shall be erected before any works commence and retained and maintained for the duration of the construction period.

Reason:

In the interests of the health of trees in the interests of the character and visual amenity of the area and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013 and Policies PSP2 and PSP3 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (adopted) November 2017.

12. No development shall take place on land to which the reserved matters relates until full details of both hard and soft landscaping works shall be submitted in writing to the Local Planning Authority for approval and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines indicating lines, manhole); retained landscape features, including trees and hedgerows and proposals for restoration where relevant. Soft landscaping works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme.

Reason:

To protect the character and appearance of the area and to accord with Policies CS1 and

CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013 and Policies PSP2 and PSP3 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (adopted) November 2017.

13. Prior to any dwellings hereby approved being constructed above damp proof course level, a Public Art Brief for a scheme of Public Art for the development site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the artwork/s shall be installed in accordance with the approved details and retained as such.

Reason:

To ensure public art is appropriately included within the scheme in the interests of the visual amenity of the development and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

14. The hours of working on site during the period of construction shall be restricted to 07.30am-18.00pm Mondays to Fridays; and 08.00am-13.00pm on Saturdays and no working shall take place on Sundays or Public Holidays. The term working shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the site. Any working outside these hours shall have the prior written consent of the Local Planning Authority.

Reason:

To protect the residential amenity of residential occupiers and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

15. The development shall be carried out in accordance with the energy efficient measures identified in the Sustainability Statement dated 13th July 2017. Reserved matters applications submitted pursuant to condition 2 shall include details of how the objectives of the Sustainability Statement will be achieved. All development shall be carried out exactly in accordance with the details so agreed.

Reason:

To achieve improved energy conservation, and protect natural environmental resources and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

16. Prior to the commencement of development a soil handling and mitigation strategy in line with best practice measures to prevent damage to soils and allow their reuse shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason:

To ensure appropriate treatment of Best and Most Versatile (BMV) soils to safeguard the potential for local food cultivation and to accord with policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013. This is a pre-commencement condition to protect BMV soils.

17. No areas designated as public open space shall at any time be used as a site compound unless otherwise agreed in writing by the Local Planning Authority. For the avoidance of doubt, "site compound" for the purposes of this condition shall mean any area used for siting

offices, toilets, fuel tanks, cabins, storage containers, the storage of materials, and the construction of temporary roads and hardstandings.

Reason:

In the interests of Best and Most Versatile (BMV) soils to safeguard the potential for local food cultivation and to accord with policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

18. Prior to the commencement of any groundworks, including any exempt infrastructure, geotechnical or remediation works, and prior to the determination of any reserved matters application, a programme of archaeological work and subsequent detailed mitigation, outreach and publication strategy, including a timetable for the mitigation strategy, must be submitted to and approved by the Local Planning Authority. Thereafter the approved programme of mitigated measures and method of outreach and publication shall be implemented in all respects.

Reason:

In the interest of archaeological investigation or recording and to accord with policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013. This must be a pre-commencement condition as archaeology cannot be preserved retrospectively.

19. The development shall be carried out in exact accordance with the Desk Study and Initial Ground Investigation submitted in support of the application. Prior to the commencement of development on site the exact form of proposed intrusive site investigation works shall be submitted to the Council, and if acceptable, agreed in writing. The intrusive site investigations shall then take place exactly in accordance with the details so agreed. The findings arising from the intrusive site investigations (including the result of any gas monitoring) shall be submitted in the form of a report and shall include a scheme of any necessary remedial works. If acceptable, the Local Planning Authority will give written approval to the report and proposed remedial works. The remedial works must be fully implemented in accordance with the submitted report.

Reason:

To ensure that the site is or can be made safe and stable for the proposed development and to prevent environmental pollution in accordance with Policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013. This is a pre-commencement condition as remediation cannot be carried out retrospectively.

20. Prior to the commencement of development drainage detail proposals incorporating Sustainable Drainage Systems (SUDS) and confirmation of hydrological conditions (e.g. soil permeability, watercourses, mining culverts) within the development shall be submitted for approval in writing to the Local Planning Authority. Development shall be carried out in accordance with the approved details. For the avoidance of doubt, the details submitted shall include the following:

- A clearly labelled drainage layout plan showing the pipe networks and any attenuation ponds;
- Updated drainage calculations to show there is no flooding on site in 1 in 30 year storm events; and no flooding of buildings or off site in 1 in 100 year plus an allowance climate change storm event;

- Where attenuation forms part of the Surface Water Network, calculations showing the volume of attenuation provided, demonstrating how the system operates during a 1 in 100 year plus an allowance for climate change storm event;
- Where infiltration forms part of the proposed Surface Water Network such as soakaways, percolation/soakage test results and test locations are to be submitted in accordance with BRE 365;
- An updated plan showing the cross sections and design of the attenuation pond and its components (to include an all-around access track for maintenance);
- The drainage layout plan should also show exceedance / overland flood flow routes if flooding occurs and the likely depths of any flooding;
- The plan should also show any pipe node numbers referred to within the drainage calculations;  
A manhole / inspection chamber schedule to include cover and invert levels;
- Ownership and responsibility, along with details of the maintenance regime in relation to the surface water network and any components such as, existing ditches, attenuation/Infiltration features, and flow control devices where applicable.

**Reason:**

To ensure that a satisfactory means of drainage is provided, and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013 and the National Planning Policy Framework. This must be a precommencement condition to ensure that the whole scheme is adequately drained.

21. Prior to the commencement of any on-site drainage works, an updated CCTV survey of the railway culvert condition shall be conducted and the results submitted to the local planning authority. Any debris within the railway culvert referred to in the original FRA & Drainage Strategy dated November 2016 page 16, along with any new evidence of debris which may be revealed as a result of a new survey, is to be removed prior to commencement of any site drainage works.

**Reason:**

To ensure that a satisfactory means of drainage is provided, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (adopted) December 2013 and the National Planning Policy Framework.

22. No development shall commence until both a Landscape and Ecological Management Plan (LEMP) and an Ecological Mitigation Strategy (both to be in accordance with the Ecological Assessment submitted in support of the application) have been submitted to and approved in writing by the Local Planning Authority. The management plan shall include the results of an ecological survey of the site, and a detailed scheme of protection, mitigation and compensation measures to be incorporated within the development, including a timetable for the implementation of the scheme and for the monitoring of the impact of the development on the ecological features. The development shall subsequently be carried out exactly in accordance with the approved details.

**Reason:**

To ensure the works are carried out in an appropriate manner to protect the ecological integrity of the site, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (adopted) December 2013 and the National Planning Policy Framework.

**Contact Officer: Helen Winsall**  
**Tel. No. 01454 865911**

## **CONDITIONS**

1. The development must take place in accordance with the following plans and reports:

Received by the Council on 17th July 2017:  
Design and Access Statement 19294/A5 11

Received by the Council in May 2017:  
Scale Parameter Plan 19294 9602 E  
Green Infrastructure Parameter Plan 19294 F  
Land Use & Access Parameter Plan 19294 9601 F  
Site Location Plan 19294 9001 A

Received by the Council on 25th January 2017:  
Proposed Site Access General Arrangement in Transport Assessment Appendix I  
04255-HYD-XX-XX-DR-TP-2000P2

Received by the Council on 17th January 2017:  
Density Plan 19294 9603 D

Reason:

In order to define the planning permission. To ensure a satisfactory external appearance of individual buildings and the wider development in the interests of the visual amenity of the area and to accord with Policies CS1, CS2 and CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013 and Policies PSP1 and PSP17 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (adopted) November 2017.

2. Approval of the details of the layout, scale and appearance of the buildings to be erected, and the landscaping of the site (hereinafter called "the reserved matters") for each phase shall be submitted to and approved in writing by the Local Planning Authority in writing before any development is commenced.

Reason:

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

3. Applications for the approval of the reserved matters shall be made to the Local Planning Authority by 6th September 2020.

Reason:

To comply with the requirements of Sections 91 and 92 of the Town & Country Planning Act 1990 (as amended) and to ensure that housing is delivered as quickly as possible on the site.

4. The development hereby permitted shall be begun either by 6th September 2021, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason:

To comply with the requirements of Sections 91 and 92 of the Town & Country Planning Act 1990 (as amended).

5. The first reserved matters submitted pursuant to condition 2 shall include a site wide phasing plan to indicate the scale and sequence of build out including the relationship of dwellings to the delivery of infrastructure. The development shall be carried out in accordance with the agreed details.

Reason:

To ensure that the development is comprehensively planned, designed and phased to ensure that the provision of the different land uses within the site are delivered and protected in order to comply with the relevant policies in the Development Plan.

6. The reserved matters applications submitted pursuant to condition 2 shall include a detailed delivery framework for the self-build housing. The development shall be carried out in accordance with the approved strategy.

Reason:

To ensure that self-build units are delivered at the site to an acceptable standard and in the interests of the character and visual amenity of the area and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and Policies PSP1 and PSP17 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (adopted) November 2017.

7. A site specific Construction Environmental Management Plan (CEMP), shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of development. The CEMP as approved by the Council shall be fully complied with at all times.

The CEMP shall address the following matters:

- (i) Measures to control the tracking of mud off-site from vehicles;
- (ii) Measures to control dust from the demolition and construction works approved;
- (iii) Adequate provision of fuel oil storage, landing, delivery and use, and how any spillage can be dealt with and contained;
- (iv) Adequate provision for the delivery and storage of materials;
- (v) Adequate provision for contractor parking;
- (vi) A lorry routing schedule;
- (vii) Temporary access arrangements for construction traffic;
- (viii) Details of Main Contractor including membership of Considerate Constructors scheme;
- (ix) Site Manager contact details;
- (x) Processes for keeping local residents informed of works being carried out and dealing with complaints.

Reason:

In the interests of highway safety and residential amenity and to accord with Policies PSP11 and PSP21 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (adopted) November 2017.



8. No dwelling shall be occupied until the highway linking that dwelling to the existing public highway has been provided with street lighting, completed to base course level for the carriageway and surface course level for the footway or shared surface, all in accordance with details to be submitted to and approved by the Local Planning Authority.

Reason:

In the interests of highway safety, to ensure all dwellings are provided with a safe and suitable access and to accord with Policy PSP11 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (adopted) November 2017.

9. No dwelling shall be occupied until car and cycle parking has been provided for that dwelling in accordance with details to be submitted to and approved by the Local Planning Authority.

Reason:

In the interest of highway safety and to accord with Policy PSP16 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (adopted) November 2017.

10. The plans and particulars submitted as part of condition 2 for the relevant Reserved Matters shall include a scheme of vehicular access for the allotments. Car parking for the allotments shall be provided in accordance with the agreed details prior to the first use of the allotments.

Reason:

In the interests of highway safety and the amenities of the area and to accord with Policy PSP11 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (adopted) November 2017.

11. The plans and particulars to be submitted in accordance with condition 2 shall include:

1. An Arboricultural Impact Assessment;
2. An Arboricultural Method Statement;
3. A Tree Protection Plan;
4. An engineering plan showing all services outside the RPAs of retained trees. All fencing to be in accordance with BS5837 2012 Trees in Relation to Construction and shall be erected before any works commence and retained and maintained for the duration of the construction period.

Reason:

In the interests of the health of trees in the interests of the character and visual amenity of the area and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013 and Policies PSP2 and PSP3 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (adopted) November 2017.

12. No development shall take place on land to which the reserved matters relates until full details of both hard and soft landscaping works shall be submitted in writing to the Local Planning Authority for approval and these works shall be carried out as

approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines indicating lines, manhole); retained landscape features, including trees and hedgerows and proposals for restoration where relevant. Soft landscaping works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme.

Reason:

To protect the character and appearance of the area and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013 and Policies PSP2 and PSP3 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (adopted) November 2017.

13. Prior to any dwellings hereby approved being constructed above damp proof course level, a Public Art Brief for a scheme of Public Art for the development site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the artwork/s shall be installed in accordance with the approved details and retained as such.

Reason:

To ensure public art is appropriately included within the scheme in the interests of the visual amenity of the development and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

14. The hours of working on site during the period of construction shall be restricted to 07.30am-18.00pm Mondays to Fridays; and 08.00am-13.00pm on Saturdays and no working shall take place on Sundays or Public Holidays. The term working shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the site. Any working outside these hours shall have the prior written consent of the Local Planning Authority.

Reason:

To protect the residential amenity of residential occupiers and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

15. The development shall be carried out in accordance with the energy efficient measures identified in the Sustainability Statement dated 13th July 2017. Reserved matters applications submitted pursuant to condition 2 shall include details of how the objectives of the Sustainability Statement will be achieved. All development shall be carried out exactly in accordance with the details so agreed.

Reason:

To achieve improved energy conservation, and protect natural environmental resources and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

16. Prior to the commencement of development a soil handling and mitigation strategy in line with best practice measures to prevent damage to soils and allow their reuse shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason:

To ensure appropriate treatment of Best and Most Versatile (BMV) soils to safeguard the potential for local food cultivation and to accord with policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013. This is a pre-commencement condition to protect BMV soils.

17. No areas designated as public open space shall at any time be used as a site compound unless otherwise agreed in writing by the Local Planning Authority. For the avoidance of doubt, "site compound" for the purposes of this condition shall mean any area used for siting offices, toilets, fuel tanks, cabins, storage containers, the storage of materials, and the construction of temporary roads and hardstandings.

Reason:

In the interests of Best and Most Versatile (BMV) soils to safeguard the potential for local food cultivation and to accord with policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

18. Prior to the commencement of any groundworks, including any exempt infrastructure, geotechnical or remediation works, and prior to the determination of any reserved matters application, a programme of archaeological work and subsequent detailed mitigation, outreach and publication strategy, including a timetable for the mitigation strategy, must be submitted to and approved by the Local Planning Authority. Thereafter the approved programme of mitigated measures and method of outreach and publication shall be implemented in all respects.

Reason:

In the interest of archaeological investigation or recording and to accord with policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013. This must be a pre-commencement condition as archaeology cannot be preserved retrospectively.

19. The development shall be carried out in exact accordance with the Desk Study and Initial Ground Investigation submitted in support of the application. Prior to the commencement of development on site the exact form of proposed intrusive site investigation works shall be submitted to the Council, and if acceptable, agreed in writing. The intrusive site investigations shall then take place exactly in accordance with the details so agreed. The findings arising from the intrusive site investigations (including the result of any gas monitoring) shall be submitted in the form of a report and shall include a scheme of any necessary remedial works. If acceptable, the Local Planning Authority will give written approval to the report and proposed remedial

works. The remedial works must be fully implemented in accordance with the submitted report.

Reason:

To ensure that the site is or can be made safe and stable for the proposed development and to prevent environmental pollution in accordance with Policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013. This is a pre-commencement condition as remediation cannot be carried out retrospectively.

20. Prior to the commencement of development drainage detail proposals incorporating Sustainable Drainage Systems (SUDS) and confirmation of hydrological conditions (e.g. soil permeability, watercourses, mining culverts) within the development shall be submitted for approval in writing to the Local Planning Authority. Development shall be carried out in accordance with the approved details. For the avoidance of doubt, the details submitted shall include the following:
- o A clearly labelled drainage layout plan showing the pipe networks and any attenuation ponds;
  - o Updated drainage calculations to show there is no flooding on site in 1 in 30 year storm events; and no flooding of buildings or off site in 1 in 100 year plus an allowance climate change storm event;
  - o Where attenuation forms part of the Surface Water Network, calculations showing the volume of attenuation provided, demonstrating how the system operates during a 1 in 100 year plus an allowance for climate change storm event;
  - o Where infiltration forms part of the proposed Surface Water Network such as soakaways, percolation/soakage test results and test locations are to be submitted in accordance with BRE 365;
  - o An updated plan showing the cross sections and design of the attenuation pond and its components (to include an all-around access track for maintenance);
  - o The drainage layout plan should also show exceedance / overland flood flow routes if flooding occurs and the likely depths of any flooding;
  - o The plan should also show any pipe node numbers referred to within the drainage calculations;
- A manhole / inspection chamber schedule to include cover and invert levels;
- o Ownership and responsibility, along with details of the maintenance regime in relation to the surface water network and any components such as, existing ditches, attenuation/Infiltration features, and flow control devices where applicable.

Reason:

To ensure that a satisfactory means of drainage is provided, and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013 and the National Planning Policy Framework. This must be a precommencement condition to ensure that the whole scheme is adequately drained.

21. Prior to the commencement of any on-site drainage works, an updated CCTV survey of the railway culvert condition shall be conducted and the results submitted to the local planning authority. Any debris within the railway culvert referred to in the original FRA & Drainage Strategy dated November 2016 page 16, along with any new evidence of debris which may be revealed as a result of a new survey, is to be removed prior to commencement of any site drainage works.

Reason:

To ensure that a satisfactory means of drainage is provided, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (adopted) December 2013 and the National Planning Policy Framework.

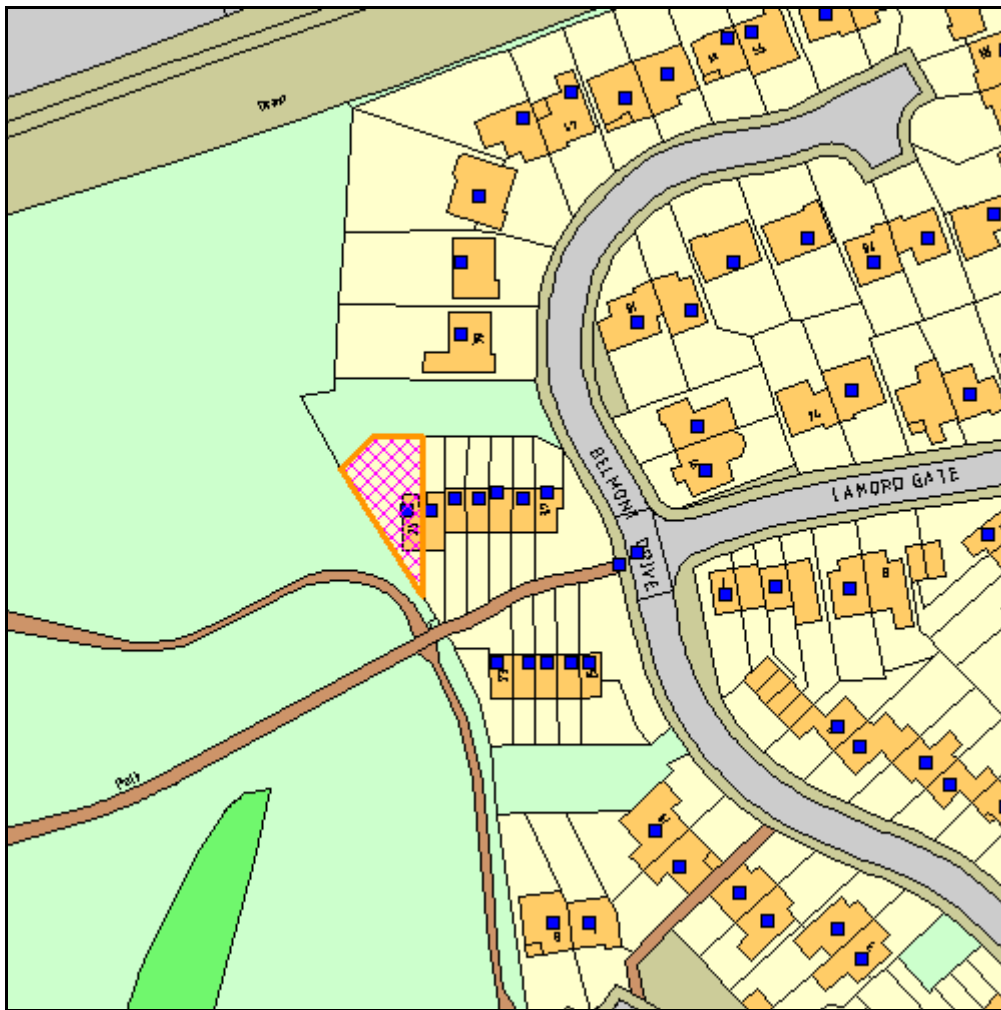
22. No development shall commence until both a Landscape and Ecological Management Plan (LEMP) and an Ecological Mitigation Strategy (both to be in accordance with the Ecological Assessment submitted in support of the application) have been submitted to and approved in writing by the Local Planning Authority. The management plan shall include the results of an ecological survey of the site, and a detailed scheme of protection, mitigation and compensation measures to be incorporated within the development, including a timetable for the implementation of the scheme and for the monitoring of the impact of the development on the ecological features. The development shall subsequently be carried out exactly in accordance with the approved details.

Reason:

To ensure the works are carried out in an appropriate manner to protect the ecological integrity of the site, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (adopted) December 2013 and the National Planning Policy Framework.

**CIRCULATED SCHEDULE NO. 15/19 – 11 APRIL 2019**

<b>App No.:</b>	P19/2096/F	<b>Applicant:</b>	Mr Ken Ham
<b>Site:</b>	25 Belmont Drive Stoke Gifford Bristol South Gloucestershire BS34 8US	<b>Date Reg:</b>	27th February 2019
<b>Proposal:</b>	Erection of single storey side and rear extension to provide additional living accommodation.	<b>Parish:</b>	Stoke Gifford Parish Council
<b>Map Ref:</b>	362145 180426	<b>Ward:</b>	Stoke Gifford
<b>Application Category:</b>	Householder	<b>Target Date:</b>	23rd April 2019



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 100023410, 2008. **N.T.S.** **P19/2096/F**

South Gloucestershire Councillors have five working days from date of publication to consider whether items appearing on the Circulated Schedule should be referred to the Development Management or Strategic Sites Delivery Committees for determination.

### **REASON FOR SUBMISSION TO THE CIRCULATED SCHEDULE**

This application has been submitted to the Council's Circulated Schedule procedure comments received from the local Parish Council have been contrary to the Officer's recommendation.

## **1. THE PROPOSAL**

- 1.1 The proposal seeks full planning permission for the erection of a single storey rear extension to provide additional living accommodation at 25 Belmont Drive, Stoke Gifford.
- 1.2 The application site relates to a two-storey, end terraced property located in a residential area of Stoke Gifford.
- 1.3 Revised plans were submitted on 3<sup>rd</sup> April 2019 which show the parking arrangement at the property.

## **2. POLICY CONTEXT**

### **2.1 National Guidance**

National Planning Policy Framework February 2019  
National Planning Policy Guidance

### **2.2 Development Plans**

#### **South Gloucestershire Local Plan Core Strategy Adopted December 2013**

CS1	High Quality Design
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development

#### **South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017**

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP11	Transport
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages
PSP34	Private Amenity Standards

### **2.3 Supplementary Planning Guidance**

South Gloucestershire Design Checklist (Adopted 2007)  
Residential Parking Standards SPD (Adopted) 2013

### 3. RELEVANT PLANNING HISTORY

- 3.1 N2483.53  
Substitution of house type on Plots 593-676 and 1071-1080.  
Approved with conditions: 17/06/1982

### 4. CONSULTATION RESPONSES

- 4.1 Stoke Gifford Parish Council  
The Parish Council object to this application on the grounds of over development.
- 4.2 DC Transport  
Insufficient information has been submitted to enable a transportation comment on the application.
- 4.3 Ecology  
No ecological information has been provided alongside the application. The building is post-1960 and of modern construction making it unlikely that bats will be present. However, it does offer gable ends facing suitable bat foraging and commuting habitat. The proposed works are limited to the ground floor and are unlikely to cause an offence in the unlikely event that bats are present within the roof. **There is no objection to the proposal but an informative should be added to the decision notice regarding the potential for bats being present on site.**
- 4.4 Archaeology Officer  
No comments received.
- 4.5 Tree Officer  
No comments received.

#### Other Representations

- 4.3 Local Residents  
One general comment was received from a local resident and is summarised as follows –
- Good care to be taken with boundary hedge
  - It is an important resource for wildlife and improving the environment of the park

### 5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development  
Policy PSP38 of the South Gloucestershire Policies, Sites and Places Plan (adopted) November 2017 is relevant to this application. The policy indicates that residential extensions are acceptable in principle subject to considerations of visual amenity, residential amenity and highway safety.



5.2 Design and Visual Amenity

Policy CS1 of the Core Strategy and policy PSP38 of the Policies, Sites and Places Plan seek to ensure that development proposals are of the highest possible standards and design. This means that developments should have appropriate: siting, form, scale, height, massing, detailing, colour and materials which are informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.

- 5.3 The application site is a triangular shaped plot. The proposed single storey extension will project from the side elevation and border the boundary hedge at a diagonal angle. It will then “square off” and form a single storey rear extension. The proposed materials will match or complement the existing dwelling. The extension is proposed to have a flat roof and parapet. Whilst this is not an ideal design solution for a side extension, officers recognise that due to the shape of the site and the proposed extension, a roof which is not flat would be difficult to achieve. Due to the location of the existing hedge and the narrowness of the extension to the front elevation, it is not considered that the proposal will harm the character of the street scene; it will be somewhat screened from public view. Although the proposal has a relatively large footprint when comparing this to the size of the original dwelling, it is not considered to be overly dominant. This is mainly due to the modest height of 3.3 metres and the fact it is only a single storey. It is therefore not considered that the proposal will have a detrimental impact on the character of the existing dwelling, nor the visual amenity of the area.

5.4 Residential Amenity

Policy PSP8 of the PSP Plan (Adopted November 2017) sets out that development within existing residential curtilages should not prejudice residential amenity through overbearing; loss of light; and loss of privacy of neighbouring occupiers.

- 5.5 The residential amenity of the neighbouring and surrounding occupiers has been considered. The proposal has the potential to have some impact on the adjoining neighbour in terms of overbearing and overshadowing. However, the proposal is of a modest height and does not project a significant distance from the rear elevation (approximately 2.35 metres). This therefore mitigates then potential impact.

- 5.6 The proposed will occupy additional floor space. However, given the built-up residential setting, it is considered that sufficient private amenity space will remain after the development and there is no objection in this regard.

5.7 Transport

The Transport Officer was unable to comment on the application due to a lack of information. However, revised plans were submitted on 3<sup>rd</sup> April 2019 which show the parking provision for the site. The parking for this property is located to the rear of the property in a shared car park. There is to be no change to this and therefore, the case officer is satisfied that the parking for the property is satisfactory.

5.8 Ecology

The ecology officer has no objection to the application. The property offers gable ends which face suitable bat foraging and commuting habitat. As the proposal is at ground floor level, it is unlikely to cause harm even if bats were in the roof. However, an informative will be added to the decision notice which advises of what to do if bats are found at the site. A local resident would like assurance that the hedge will be well cared for during the proposed development. It is a habitat for wildlife and is important for the park. The hedge is not protected, but the application form states that no tree or hedge will be removed as part of the proposal. The ecology officer has not objected regarding the proximity of the proposal to the hedge.

5.9 Other Matters

The Parish Council have objected to the proposal on the grounds of overdevelopment. Officers do note that the extension is large. However, it is only a single storey and sufficient garden space is considered to remain after the development. The proposal site is located in a built-up, residential area and there will not be an unacceptable impact to the residential amenity of the neighbouring occupier. As such, it is not considered that the proposal represents an over development of the site and is considered to be acceptable in a residential location.

5.10 Consideration of likely impact on Equalities

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.

5.11 With regards to the above this planning application it is considered to have a neutral impact on equality.

**6. CONCLUSION**

6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.

6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the development plan set out above, and to all the relevant material considerations set out in the report.

## **7. RECOMMENDATION**

- 7.1 That the application be **APPROVED** subject to the conditions on the decision notice.

**Contact Officer: Isabel Daone**  
**Tel. No. 01454 863787**

### **CONDITIONS**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).

2. The development hereby approved shall be implemented strictly in accordance with the following plans:

Site Location Plan. Received by the Local Planning Authority 22nd February 2019

Ground Floor Plan - Existing. 25/BD/SG/01/P. Received by the Local Planning Authority 22nd February 2019

Ground Floor Plan - Proposed. 25/BD/SG/02/P. Received by the Local Planning Authority 22nd February 2019

Rear Elevation - Existing. 25/BD/SG/03/P. Received by the Local Planning Authority 22nd February 2019

Rear Elevation - Proposed. 25/BD/SG/04/P. Received by the Local Planning Authority 22nd February 2019

Side Elevation on B - Existing. 25/BD/SG/05/P. Received by the Local Planning Authority 22nd February 2019

Side Elevation on B - Proposed. 25/BD/SG/06/P. Received by the Local Planning Authority 22nd February 2019

Side Elevations on A. 25/BD/SG/06a/P. Received by the Local Planning Authority 26th February 2019

Front Elevations. 25/BD/SG/07/P. Received by the Local Planning Authority 22nd February 2019

Front Elevations - Proposed. 25/BD/SG/08/P. Received by the Local Planning Authority 22nd February 2019

Block Plan - Existing. 25/BD/SG/09/P. Received by the Local Planning Authority 3rd April 2019

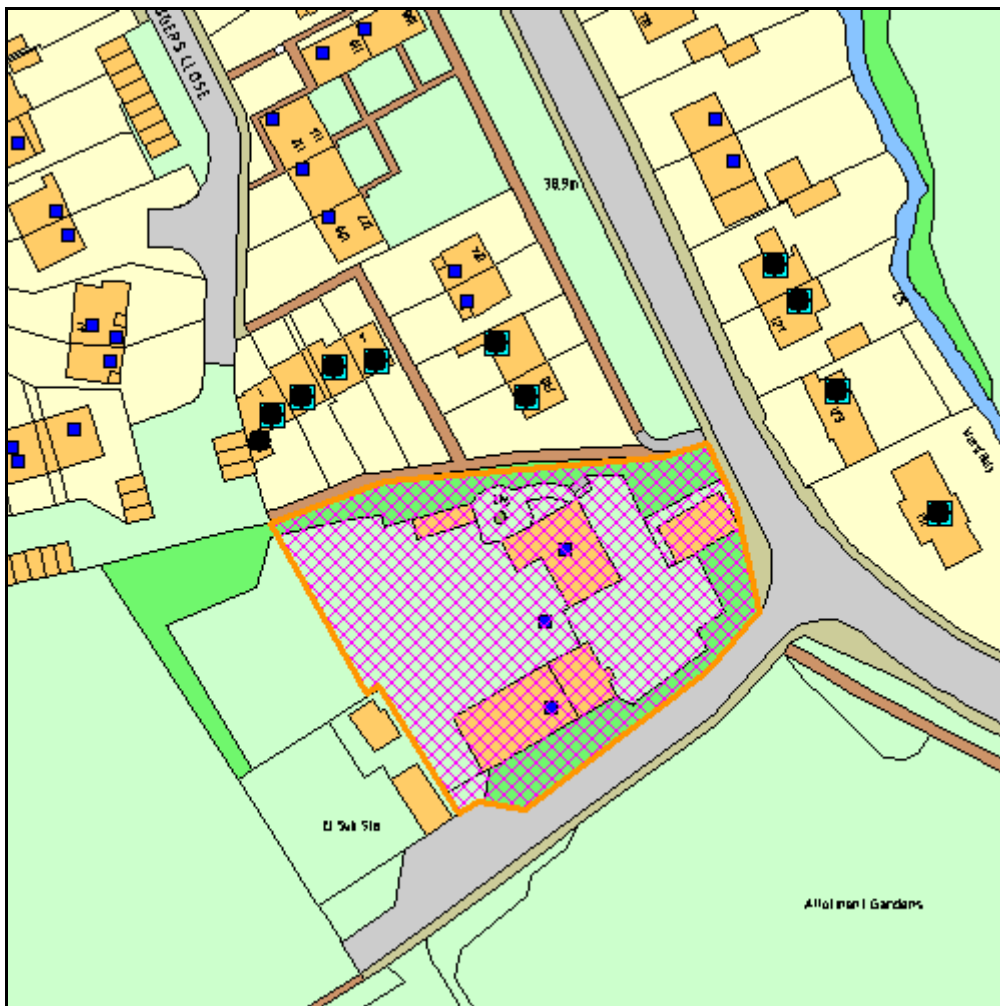
Block Plan - Proposed. 25/BD/SG/10/P. Received by the Local Planning Authority 22nd February 2019

Reason

For the avoidance of doubt

## CIRCULATED SCHEDULE NO. 15/19 – 11 APRIL 2019

<b>App No.:</b>	PK18/3769/MW	<b>Applicant:</b>	SUEZ Recycling And Recovery UK Ltd
<b>Site:</b>	S I T A South Gloucestershire Ltd Tower Road South Warmley South Gloucestershire BS30 8BT	<b>Date Reg:</b>	28th August 2018
<b>Proposal:</b>	Demolition of existing buildings and associated infrastructure, retention of existing cabins and erection of 2no. additional portacabins with associated works.	<b>Parish:</b>	Oldland Parish Council
<b>Map Ref:</b>	366957 172049	<b>Ward:</b>	Parkwall
<b>Application Category:</b>	Minor	<b>Target Date:</b>	27th November 2018



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PK18/3769/MW

South Gloucestershire Councillors have five working days from date of publication to consider whether items appearing on the Circulated Schedule should be referred to the Development Management or Strategic Sites Delivery Committees for determination.

### **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

This application appears on the Circulated Schedule as a result of responses received to the consultation process.

## **1. THE PROPOSAL**

- 1.1 The application seeks permission for the demolition of existing buildings and associated infrastructure, retention of existing cabins and erection of 2no. additional portacabins with associated works..
- 1.2 The site itself is an existing depot, is used as a base for some of the fleet of waste vehicles serving the South Gloucestershire area. The site is approximately 0.4 hectares in size with some existing red brick buildings. The site is bounded by an electricity sub station to the west, beyond which is the former Warmley pitch and putt golf course, which extends to the south of the site also. The eastern edge of the site contains a row of mature trees beyond which is Tower Road South. Immediately to the north of the site are residential properties which are situated on Rogers Close and Tower Road South.

## **2. POLICY CONTEXT**

### **2.1 National Guidance**

National Planning Policy Framework  
National Planning Policy Guidance

### **2.2 Development Plans**

#### **South Gloucestershire Core Strategy (Adopted)**

CS1 High Quality Design  
CS4a Presumption in Favour of Sustainable Development  
CS9 Managing the Environment and Heritage

#### **South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017**

PSP8 Residential Amenity  
PSP19 Wider Biodiversity  
PSP17 Heritage Assets and the Historic Environment

#### **West of England Joint Waste Core Strategy (Adopted) March 2011** Policy 12 General Considerations

### **3. RELEVANT PLANNING HISTORY**

- 3.1 K2844 – Erection of extension to workshop. No objection. 1<sup>st</sup> August 1979.
- 3.2 K2844 – Change of use from vacant land to winter salt storage area. No objection. 20<sup>th</sup> January 1986.
- 3.3 K2844/2 – Change of use of part of Council Depot to recycling centre. Approved 22 May 1995
- 3.4 PK01/1149/F – Demolition of existing building and erection of storage buildings and bays. Approved 10.07.2001.
- 3.5 PK12/0122/MW - Erection of 2 storey Portacabin to be used for as mess room and office accommodation (part retrospective). Approved 22.06.2012

### **4. CONSULTATION RESPONSES**

#### **4.1 Oldland Parish Council**

The Parish Council objects to this application and fully supports the comments of South Gloucs Council's own Conservation Officer.

#### **Bitton Parish Council**

Bitton Parish Councillors have discussed the application above. They note the comments of the Conservation Officer, with which they agree. They also note the number of mature trees on site which assist in screening the buildings.

#### **4.2 Other Consultees**

##### **Conservation Officer**

This site is the location of the 18th/19th century Cowhorn Hill Colliery, as seen on the 1840 tithe map for the area. The colliery, according to local records, was purchased by Abraham Fussell in 1876 and may have been the place of work for those miners displaced following the closure of Crown Colliery in Warmley, historically one of the main suppliers of coal for William Champions Brassworks. Fussell is recorded as having deepened the shaft at the interconnected California Colliery to 640 metres to access a seam of valuable coal. However, in 1904, the mines were flooded and the company went bankrupt. It was subsequently purchased in 1906 by the West Gloucestershire Water Works Company, of which Sidney Fussell was on the Board, and measures were put in place to use this new source of water to supply the local area. New brick buildings were erected, including the engine house and chimney, and a massive engine pumped the water from the pits to the reservoir in Soundwell Road.

The brick buildings, therefore, date to the first decade of the 20th century and mark the gradual end of the coal mining in this area, with the pits flooded and used to supply drinking water to the burgeoning population of Kingswood. The engine was removed in the 1960s and the site used as a depot which it continues to do today. The brick buildings are partially screened by overgrown trees placed around the perimeter of the site but views

are still available (as demonstrated in the 2012 application) from the public footpath that runs to the south from where the chimney can be seen cutting the skyline, and glimpses of the buildings are available from Tower Road South. The buildings vary in quality, with the single storey garage part of the southern-most building lacking the modest architectural detailing found on the building group closest to the chimney and being roofed in corrugated sheets. Although quite modest and utilitarian in appearance, the other structures in the site do have a certain character and interest, evidenced by their inclusion in the South Gloucestershire Family Walking Local History Trail Leaflet. The history of the site and the present structures is also recorded in various mining-related publications. The buildings are not, however, protected by heritage designations although they do hold a degree of historic interest meriting consideration in the planning balance. Being early 20th century structures, this significance lies not wholly in their fabric but, in this instance, comes from the evidential, community and social interest in relation to the coal mining heritage of the area, as well as the chimney potentially being a local landmark feature. In this respect, it would be advisable to consult the relevant Industrial Heritage societies on this application.

The application proposes the demolition of all structures on the site save for two existing portacabins. No heritage assessment of the structures described above, or of the history of the site has been submitted with the application which would be deemed contrary to paragraph 189 of the NPPF, and there appears to have been no consideration given to whether any of the structures may be worthy of retention on site for their heritage interest at a local level, nor to their existing and potential contribution to the local distinctiveness of the locality. Their complete loss, despite only being assets of local and thus low significance at a national scale, would be harmful and thus contrary to policy PSP17 which requires that Development proposals should serve to protect, and where appropriate, enhance or better reveal the significance of heritage assets and their settings. As they would be removed from the site entirely, the level of harm would be substantial. In line with paragraph 197 of the NPPF, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. Advice from the relevant specialist Industrial Heritage groups should be sought as part of this balancing exercise.

Whilst the site and buildings may be in poor condition, with some modest investment, all, or some, of the buildings may still serve a viable use and allow the removal of the existing and proposed portacabins (which lack any visual interest whatsoever in comparison). Partial clearance of those structures of lower significance within the group may be possible (this needs to be assessed further), but it could free up parts of the site without totally obliterating all evidence of the sites heritage. Has this been considered by the applicant and or landowner?

Should clearance ultimately be deemed to be acceptable from a planning perspective, there needs to be a full record made of the structures in line with Historic Englands Building Recording Guidance.

The applicants have subsequently submitted a Building Condition Survey Report, Structural Survey Report and Archaeological Desk Based Assessment.

Conservation Officer concern over the loss of the buildings remained and the requirement for the balanced judgement as referred to above remained.

#### Ecology

An Extended Phase 1 Survey and Bat Survey Report were submitted with the application.

No bats were found to use the buildings and lighting mitigation are suitable for the site.

The report recommends ecological enhancements in line with national and local planning policy that should be implemented in the scheme. These are recommend as conditions

#### Sustainable Transportation

We note that this application seeks permission to site two additional portacabins at the SITA depot located in Tower Road, Warmley. We understand that there are already two portacabins on the site and that they will be retained. We also understand that some of the existing redundant buildings currently on the site will be levelled to allow the vehicle parking area to be rearranged to broadly compensate for the area occupied by the new portacabins. Furthermore, the applicants have indicated that this will not result in changes to the number of vehicles or staff based here, its hours of operation or to the sites existing accesses arrangements. Under these circumstances, we do not consider that this proposal will raise any material highways or transportation issues and have no comments about this proposal.

#### Environmental Protection

No adverse comments

#### Lead Local Flood Authority

No objection in principle. Foul sewage disposal method will need to be addressed.

#### Economic Development

No objection

#### Highway Structures

If the application includes a structure that will support the highway or support the land above a highway. No construction is to be carried out without first providing the Highway Structures team with documents in accordance with BD2/12 of the Design Manual for Roads and Bridges that will allow formal Technical Approval of the proposals to be carried out. The applicant will be required to pay the fees associated with the review of the submission whether they are accepted or rejected.



Or

If the application includes a boundary wall alongside the public highway or open space land then the responsibility for maintenance for this structure will fall to the property owner

Bristol Industrial Archaeology Society (BIAS) and South Gloucestershire Mines Research Group (SGMRG)

*'The site occupied by SITA was used in the past by two important local industries. Cowhorn colliery from mid 1750 to late 1800s, and the local water companies from 1906 to 1970. Extensive records exist in Bristol and Gloucestershire Archives to show the Haines family of Wick invested considerable money in developing the coal mine, including the use of steam engines for pumping and winding.*

*The site is historically significant - summary details as follows:*

*1758 - Coal Mine with water wheel to pump - worked by Haynes, Williams, Smith*

*1793 - Coal Mine and second hand Newcomen Engine purchased from Hanham and installed by Thomas Palmer*

*( Details and sub refs for above given in "The Newcomen Engine in the West of England" by KH Rogers)*

*1800-1900 Colliery continued to operate - latterley retained by California Colly Co as pumping station*

*C1906 Site taken over by Bristol Water Works and a new pumping engine installed on one shaft to draw water for Bristols supply - Steam engine features in pictures taken by G Watkins C1933*

*C1970s Site disposed of by BWW*

*It is reported that the original colliery buildiings were removed and replaced by the water works buildings*

*There are likely to be at least 2 and possibly more mine shafts on site and substantial sub surface features, some possibly predating 1758*

*The site is a significant one and whilst I personally am not opposed to development, careful surveying and recording both before and during development is required*

*The Tithe map (c1840) shows the colliery. The foot print of some buildings overlaps the buildings proposed for demolition. It is unusual in the surrounding area to find an industrial site which has not been redeveloped and contains examples of pre WW1 buildings and potentially sub surface remains from the Victorian period. There is bound to be commercial pressure to redevelop a brown field site situated in a residential area. The site is of local importance as it contains examples of industrial buildings which once employed many local people. Demolition of the buildings should be avoided if possible, in particular the chimney could be retained as a feature as has been done at the Brooks*

*dye works site in Bristol. There does not seem to be any good reason put forward for demolition, which outweighs the loss of local heritage.*

*If any buildings are approved for demolition, then a full architectural record should be created before demolition. In addition a full archaeological investigation should be conducted in any areas where it is intended to work below current surface level in order to detect sub surface evidence of the colliery and record it.*

*There few examples in the area, of the remains of Victorian colliery sites which have been investigated and recorded. BIAS experience of Victorian collieries is that they were often cleared to ground level, leaving behind sub surface features, in particular the water management system for discharge of mine water and the distribution of clean water for boilers and condensers. Water management investigations have been neglected in the past by concentrating on buildings. The opportunity to investigate other sub surface areas by non-invasive archaeology could lead to more information about the colliery. This would aid long term planning of the future of the site. The opportunity to learn more about previous use of this site is quite high as it has not had much change of use over a long period, unlike so many other local coal mine sites.'*

#### Association for Industrial Archaeology

*'The Association for Industrial Archaeology notes that this application is for the demolition of all the existing historic buildings on the site. The only structures to be retained are the two portacabins. Two more portacabins are to be erected. There is no heritage assessment.*

*There are images of the existing buildings to be demolished in the Existing Building Survey. This indicates that the buildings are of brick and are mainly roofed. The structures also include a chimney. However, there are however some photographs in the Cowhorn Hill Depot Extended Phase 1 Survey which mainly relates to protected species. This report shows that the surviving buildings are constructed of brick and some at least have tile roofs. Although the buildings are relatively plain there appears to be limited brick banding decoration under the eaves of some of the buildings and the gable ends are stone block capped and have pediments. The chimney is a robust brick structure. So, although relatively plain they are not unattractive buildings being simple in design and adequately representative of their industry - the coal mining industry. They are certainly more interesting than the surviving portacabins.*

*Warmley in this area of South Gloucestershire was within the Bristol Coalfield. Coal was important in the production of brass. In consequence a number of collieries were developed in this area. Therefore the loss of these buildings would further remove evidence of a once important and extensive industry, and so every effort should be made to re-use the buildings. Therefore the Association for*

*Industrial Archaeology objects to this proposal and recommends that the application for demolition should be refused. If it is allowed it must be a condition of that approval that there is an adequate record of the buildings before any demolition work commences.'*

## **Other Representations**

### **4.3 Local Residents**

Three letters of concern from the public have been received, one being a petition, with 10 signatures, this correspondence is broken down as follows:

One letter has been received from a Local Mining Historian, as follows:

*Due to the historical significance of this site a full record should be provided if the historic buildings are to be demolished.*

*'George Watkins photographic record and visit implied that the surviving buildings have earlier origins related to coal mining prior to their use by the West Gloucestershire Water Company. Very little physical investigative work on mining sites has been done in the Kingswood area due to much of it having been previously built over making this a potentially important site regarding mining history*

*The lack of surviving Waterworks buildings in South Gloucestershire and Bristol as a whole also give an increased significance that suggests demolition should be resisted even if the buildings are not of sufficient national importance to warrant statutory protect.*

*An alternative use for the existing buildings would be preferable to demolition and quite possible Even if the buildings are to be retained and works carried out adjacent to them the context of the historic buildings needs to be considered*

*- less of an issue with temporary portacabin structures but careful conditioning is still necessary to ensure future structures need consent*

*Due to the mining and water supply heritage any excavation on the site is likely to reveal important remains and a full investigation both using non - invasive techniques and excavation, as well as a watching brief whilst the works are carried out, is essential.'*

Two further letters of objection from local residents were received:

The first contains a petition with 10 signatures from residents within the vicinity. The introduction to the petition raises general concerns regarding concerns over the site growing in recent years to now represent disruption to local people and the fact that a new location is required to house the facility and operations and an overall waste management strategy for the Council should reflect this.

The petition thereafter raises the following, more specific points:

- object to the demolition of 2 of the buildings – the majority of buildings are of

significant historical value to the local area and its industrial and mining heritage.

- a more thorough bat survey is needed
- there is much other wildlife that can be spotted around the local area that requires protection. More bird boxes are required.
- A strict vehicle cleansing strategy is required and open transparency and test study data for the chemicals used
- suitable surprise inspections to be carried out to ensure vehicles are empty of refuse over evenings and weekends
- a toxicity study to test levels from diesel fumes associated with the vehicles parking on site
- a new lighting or camera system positioned and angled away from resident's homes with low level lighting and no noise warnings
- limitation on the no. of vehicles/capacity of the site
- vehicle to always be parked facing the exit to avoid vehicle warning noises in the morning
- the existing gate should be replaced or repaired to avoid noise
- litter cleaning is needed by the Council, every two months
- The Council should agree to non-renewal plan for lease granting back to Suez after 2025, and the site to be used for something else
- An improvement to a current condition of an earlier restricting and limiting noise output, to provide clear guidelines to Enforcement teams/Environmental Protection to understand the context/tests
- The sites policy does not permit waste management vehicles movement until 7am, this is not being adhered to, causing local impact
- a compensation scheme for local residents should be added to conditions for where/when breaches are monitored
- clear guidelines should be introduced as to how many breaches over a specified time would result in the daily operation being shut down, until the site can be brought back in line with planning conditions
- a scheme of monitoring of recommended conditions should be introduced
- all planning conditions/permissions linked to the sites lengthy planning history should be encapsulated into the current application, to create transparency and easy access to understand the sites framework and responsibilities
- The Council should offer a planned continued reduction of vehicles stored at the site, down to zero.
- The Council have not offered funding or maintenance of the buildings which are falling into dilapidation. We request budget reallocation
- funding needs to be invested into landscaping and new tree and shrub planting as well as adequate fencing
- the land leased by the electrical company should not be used in any future expansion for waste management
- The Council can continue to use the car park which was used previously for the Warmley Pitch and Putt golf course but the service should be agreed not to use Rogers Close for additional overflow car parking, which creates parking issue

The second objection letter was as follows:

*'I wish to object to the proposed demolition of yet more of our now rare industrial heritage. I have looked at this site recently and can see no reason to demolish perfectly sound quality brick buildings, that could quite easily be*

*repurposed probably more economically than new porta cabins, and put to good use as offices or workshops. So that if the existing porta cabins were then redundant then that might achieve the extra room required. Considering the close proximity to the Kingswood Heritage Museum the loss of the quite unique and historical Cowhorn Hill Colliery/ pumping station buildings should be considered an unacceptable.'*

## **5. ANALYSIS OF PROPOSAL**

### **5.1 Principle of Development**

The principle of the site as a depot and use of the site for storage of vehicles already exists. No additional change of use or variation of conditions is being sought. There are no proposals to alter operations or increase capacity. The capacity of the site is governed by the size and boundaries, which remain. The issue for consideration is therefore solely the acceptability of the addition of the portacabins for use in conjunction with the sites operations and the removal of the existing remaining red brick buildings within the site. Policy 12 of the West of England Joint Waste Core Strategy (Adopted) March 2011 states that planning permission for waste related development will be granted provided it can be demonstrated that any impacts of the proposed development would not significantly adversely affect people, land, infrastructure, resources and the environment. Whilst the site is not used for the disposal or treatment of waste itself it serves the collections vehicles that operate on a daily basis for the purposes of collecting the waste arisings in South Gloucestershire. In this respect the proposals are considered to be a means to suitably provide additional welfare space and additional space within the site to continue to enable the site to facilitate the collection of waste as required. Detailed development control issues relating to the potential issues associated with the proposals are discussed in the relevant sections below.

### **5.2 Conservation/Historic Asset issues**

The Conservation concerns referenced above are noted. The buildings are not however protected by heritage designations. It is argued that they do hold a degree of historic interest meriting consideration in the planning balance.

### **5.3 The buildings vary in quality, with the single storey garage part of the southern-most building lacking the modest architectural detailing found on the building group closest to the chimney and being roofed in corrugated sheets. Although quite modest and utilitarian in appearance, the other structures in the site do have a certain character and interest.**

### **5.4 It is not considered that their loss could be considered to amount to significant or substantial in terms of NPPF considerations as they have not been identified as a designated heritage asset. Notwithstanding this the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the planning application. A balanced judgement will be required having regard to the scale of any harm or loss and the significance of the asset.**

### **5.5 There was concern that no consideration had been made towards either any retention or indeed any assessment or recording of the level and nature of the potential asset. Further details, including an Archaeological Desk Based**

- 5.6 As stated above, the buildings, consisting of 4 main buildings/stores and the chimney stack vary in quality, and are relatively modest in appearance. They are also in various states of disrepair, and given their status there is no statutory requirement for their upkeep or repair. Any interest lies in their contribution to local industrial history. There are health and safety implications associated with the buildings in their current form. Money has been spent to ensure safety of the buildings, however this is unsustainable on a regular basis. Building surveys concluded that many of the buildings were in urgent need of structural repairs. In terms of potential re-use, it is considered that they are in a poor state of repair, and their retention and reuse would be cost prohibitive. Their design, form and layout is also restrictive in terms of usability for the site. The benefits of the scheme are that the buildings removal would provide more operational and manoeuvring space for existing operations. This is particularly important given that section of the site, which is under lease, and which provides an important part of the overall site, will be shortly lost once the lease expires and is not renewed. Even with the leased area the site is very tight with insufficient turning circles and manoeuvrable space. Again this is a potential health and safety issue and also leads to the need for more reversing movements and the subsequent noise that comes with reversing alarms. Large parts of the site cannot be accessed as the buildings have had to be closed off. The area where the buildings are would provide sufficient space for turning and negate the need for reversing, whilst vehicles would also be located further away from some of the nearest residential properties.
- 5.7 The application contains both the addition of the portacabins and the demolition of the buildings, as effectively they are linked in terms of the applicants seeking to reconfigure the site. However and in addition to the above considerations, the fall back position is that the buildings could be proposed to be demolished under a prior notification for demolition application and, given their current status, it is unlikely that an objection could be sustained.
- 5.8 On the basis of the above, and on balance it is not considered that the significance of the buildings is such that a refusal is warranted or could be sustained and insistence upon their repair and retention cannot be justified and would be disproportionate to the nature of the asset. A level 3 (Historic England Guidance) recording requirement is however proposed. This is considered sufficient and proportionate, given the demonstrated and considered nature of the buildings and their asset value in this instance.
- 5.9 Landscape  
The removal of the buildings is considered above. The portacabin proposals would sit within the existing depot, which contains buildings and waste collection vehicles. The site as proposed will be visible to an extent from wider views but taking into account the nature of the existing site, the level and scope of potential views and the size scale and design of the proposal it is not considered that there are significant landscape impacts in this respect. It is not considered that the proposals within the existing site would significantly affect the openness or enjoyment of any areas around it. The design and location of

the cabins is considered acceptable at this location and there is some peripheral screening to the north and eastern boundaries. It is therefore not considered that the addition of further portacabins represents an unacceptable addition to the existing site in this respect.

5.10 Local Amenity

The comments relating to residential amenity, above are noted. (The heritage based comments are addressed in the relevant section above) As stated the nearest residential properties are located to the north of the site, on Rogers Close, as well as a couple on the main Tower Road South. The proposal involve the siting of additional portacabins, on the north of the site. This is the area nearest to the properties, however the land at the depot is set lower than that of the properties, thus reducing any perceived impact. The proposals would be sufficiently away from the end of the nearest residential curtilages, between which is an access path. Taking the above considerations, distances and relationship with nearby properties into account it is not considered that the proposal would represent or give rise to a material or significant amenity impact such as to warrant refusal. It is not considered that there are impacts upon properties in other directions or upon the wider amenity of the area as a whole. The proposals would facilitate an improved operational capability within the site, for existing operations, which would be of benefit to the local area.

- 5.11 Whilst the portacabins proposal must be addressed on its own merits, reference has been made to the possible utilisation of the existing buildings within the site. The merits of their condition, potential for re-use and any heritage value, weighed up against their removal are discussed in the relevant section above. Reference is also made to general impacts of the sites operations and management, improvements that could be made to the management of the existing site, strategic future aspirations for the Council's waste service and ultimately site relocation for the facility. These are wider management issues and strategic considerations for the Councils Waste Management function. The issue the subject for consideration under the planning application submitted is for the addition of portacabins, and the demolition of derelict buildings, within the context of the existing site. In addition to this if there were considered to be any planning breaches, unauthorised development or non-compliance with existing conditions on the site, this would be a matter for investigation by the Planning Enforcement Team.

5.12 Transportation

The proposals are to accommodate on site activities and would not give rise to additional vehicle movements. The site would remain as an active depot. The proposals would facilitate an improved operational capability, turning area and manoeuvrability within the site, for existing operations. There are no transportation objections to the proposals.

5.13 Ecology

Ecological assessments have been provided with the application. These are considered acceptable. The report recommends ecological enhancements in line with national and local planning policy that should be implemented in the

scheme. These are recommend as conditions.

## **6. CONCLUSION**

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

## **7. RECOMMENDATION**

- 7.1 That planning permission is granted, subject to the conditions recommended.

**Contact Officer: Simon Ford**  
**Tel. No. 01454 863714**

## **CONDITIONS**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).

2. The development shall proceed in strict accordance with the mitigation provided in Chapter 5 of the Extended Phase 1 Survey (SLR, June 2018) and Chapter 5 of the Bat Survey Report (SLR, July 2018).

Reason

In the interests of the ecology of the site and to accord with Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

3. No development shall take place until a plan showing the location and specification of bat boxes and bird boxes have been submitted to the local authority for approval in writing.

Reason

In the interests of the ecology of the site and to accord with Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

This is a pre-commencement condition to ensure that ecological mitigation is incorporated into the design of the site at an early stage.



4. Prior to the commencement of the development hereby approved and the demolition of the buildings, a Level 3 recording survey (in line with Historic England's recording guidance), relating to the buildings to be demolished shall be provided to the Council for written approval.

Reason

In the interests of recording of historic information in relation to the buildings to be demolished and to accord with Policy PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

This is a pre-commencement condition to ensure any recording is undertaken prior to demolition.



South Gloucestershire Councillors have five working days from date of publication to consider whether items appearing on the Circulated Schedule should be referred to the Development Management or Strategic Sites Delivery Committees for determination.

### **REASON FOR REFERRAL TO THE CIRCULATED SCHEDULE**

This application has been referred to the Circulated Schedule due to the objection from Almondsbury Parish Council and the number of objections received from neighbouring occupiers.

## **1. THE PROPOSAL**

- 1.1 This is a reserved matters application for the erection of 105 dwellings and associated landscaping, open space, ecological corridor and associated works. Outline planning permission was granted on appeal (ref: PT14/1886/O) for up to 110 dwellings, with access considered at the outline stage.
- 1.2 The site is accessed from Catbrain Hill, following the demolition of numbers 5 and 6. The site slopes down from the north to the south. The Henbury Trym runs along the southern boundary and there is a public right of way (PROW) that runs north south through the site. There is residential development to the north east and east of the site. The north west of the site is bounded by industrial units with the Dick Lovett car dealership to the west. The Cribbs Patchway New Neighbourhood (CPNN) is located to the south of the site.
- 1.3 The application has been amended since submission to reduce the number of dwellings from 110 to 105. There has been amendments to the landscaping scheme and the POS to alter the proposed landscaping specification and the layout of the play area. There has been amendments to the retaining structures required across the site. The proposed development comprises of a mix of 2, 3 and 4 bedroom dwellings, ranging from 2 to 3 storeys in height. There would also be two 3 storey apartment buildings along the northern boundary.
- 1.4 There would be a LEAP and allotments within the POS along the southern boundary.

## **2. POLICY CONTEXT**

### **2.1 National Guidance**

National Planning Policy Framework July 2018  
National Planning Practice Guidance

### **2.2 Development Plans**

#### **South Gloucestershire Local Plan Core Strategy Adopted December 2013**

CS1	High Quality Design
CS2	Green Infrastructure
CS4	Renewable or Local Carbon District Heating Networks

CS5	Location of Development
CS6	Infrastructure and Developer Contributions
CS7	Strategic Transport Infrastructure
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS16	Housing Density
CS17	Housing Diversity
CS18	Affordable Housing
CS23	Community Infrastructure and Cultural Activity
CS24	Green Infrastructure, Sport and Recreational Standards
CS25	Communities of the North Fringe of Bristol Urban Area
CS26	Cribbs Patchway New Neighbourhood

South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP6	Onsite Renewable and Low Carbon Energy
PSP8	Residential Amenity
PSP10	Active Travel Routes
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP37	Internal Space and Accessibility Standards for Affordable Dwellings
PSP43	Private Amenity Space Standards
PSP44	Open Space, Sport and Recreation
PSP47	Site Allocations and Safeguarding

2.3 Supplementary Planning Guidance

Landscape Character Assessment SPD (August 2005)

Residential Parking Standards SPD (May 2007)

Design Checklist SPD (2007)

Cribbs Patchway New Neighbourhood Development Framework SPD (March 2014)

Extra Care and Affordable Housing SPD (May 2014)

Waste Collection: Guidance for New Developers SPD (January 2015)

### 3. RELEVANT PLANNING HISTORY

- 3.1 PT14/1886/O – Demolition of nos 5 and 6 Catbrain Hill and development of 2.56 hectares of land comprising up to 110 dwellings (Use Class C3) open space and associated works, including creation of new vehicular access from Catbrain Hill. Outline application including access, all other matters reserved. Refused 30<sup>th</sup> September 2015. Appeal Allowed 1<sup>st</sup> March 2016
- 3.2 PT14/2646/O – Mixed use development on 3.15ha of land adjacent to the west boundary comprising offices (Use Class B2) storage (Use Class B8) car

showrooms (Sui Generis) and all associated ancillary facilities. Outline application including access with all other matters reserved. Permitted 20<sup>th</sup> January 2015

- 3.3 PT15/1415/RM – Erection of a new car dealership including workshop, compound and a new car park including appearance, landscaping layout and scale (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PT14/2646/O). Approved 31<sup>st</sup> July 2015
- 3.4 PT14/3867/O – Mixed use development on 143.73 hectares of land comprising: residential development for up to 2675 dwellings and apartments (comprising 2635 x Use Class C3 and 40 x Live Work units- Sui Generis); 24ha of standalone employment land (comprising up to 12ha Use Class B1a and a minimum of 12ha Use Class B1b/c, B2); 120 Bed Hotel up to 3800 sqm (Use Class C1); Rail Station (0.45ha Use Class Sui Generis); Education provision to include a Secondary School (8.31ha), 2 no Primary Schools (total 5ha) and 2 no. Childrens Nurseries (total 0.8ha) (all Use Class D1); Community Centre incorporating Library, Built Sports facilities and Doctors surgery up to 3,400 sqm (Use Classes D1 & D2); Dental Surgery up to 800sqm; (Use Class D1); 70 Bed Extra Care Facility up to 12,500sqm (Use Class C2); Shops/Financial Services/Food and Drink facilities up to 4,787sqm (Use Classes A1, A2, A3, A4 and A5) - comprising Retail Supermarket up to 2,787sqm gross maximum (Use Class A1); Business Offices up to 500sqm (Use Class B1) together with; supporting infrastructure and facilities including demolition, ground works and remediation, highways, utilities, landscaping, sustainable urban drainage system, wildlife water basins and public open space. Outline application including access, with all other matters reserved. Permitted 1<sup>st</sup> March 2018

#### **4. CONSULTATION RESPONSES**

##### **4.1 Almondsbury Parish Council**

Object to the proposed development, raising the following points;

- The dwellings are excessively high, having changed from 2 storey to 3 storey in height
- The height would cause distress to current residents because they would back up to their dwellings
- Catbrain Hill is a single track road, which is not sustainable for the proposed volume of traffic
- This is overdevelopment of this area

##### **4.2 Other External Consultees**

**Environment Agency** – No objection

**Natural England** – No objection

**Sport England** – No comments

**Highways England** – No objection

**Avon and Somerset Police** – No objection

**Bristol City Council** – No comment

**Wessex Water** – Offer the following comments;

- Significant matters that require agreement and approval from Wessex Water
- Proposals affect existing public sewers on the site

- Applicant should contact Wessex to discuss diversion and adoption proposals prior to commencing site works
- Statutory easements apply to public sewers
- Separate systems of drainage will be required to serve the development
- Sewer adoption will require formal adoption

#### 4.3 Internal Consultees

**Landscape Architect** – No objection, subject to conditions

**Lead Local Flood Authority** – No objection

**Urban Design** – No objection to the proposed development, raising the following points;

- Site forms part of wider CPNN and has an important role to play in terms of green infrastructure, specifically the SPD requirement for the Henbury Trym to be enhanced as an ecological corridor, and access and movement, particularly the opportunity to improve walking and cycling in the wider areas and the existing right of way across the site.
- Meetings have been held between Officers and the applicant to ensure that the proposed development was landscape-led. During these meetings, it became apparent that the technical requirements for achieving the amount of development were conflicting with the design of a high quality environment as required by policy.
- Amount of development is now reduced, additional landscaping has been provided and further clarity has been provided regarding the technical details of the structural walls and their relationship with the landscape, open space and built form.
- Proposed layout follows the broad principles set out at outline stage within the Design and Access Statement, following a perimeter block structure with the development fronting onto the public realm
- Hierarchy of routes is largely determined by proposed surface materials rather than variation in form, dimensions or landscaping, which could have helped generate a new character for the area
- The legibility of the routes is impaired by the requirements for road width, vehicle tracking and parking, which is a consequence of the amount of development proposed.
- Layout provides sufficient linkages through the site, facilitating movement west over the Henbury Trym into the former Filton Airfield site and north east via the existing public right of way.
- Proposed play area is well sited on this through route and the additional planting results in an acceptable place for social interaction.
- Proposal follows the scale parameters in the outline permission
- Proposed cut and fill, and consequent levels, dictate the finished building heights and their relationship with the public realm
- Opportunity is lost to reinforce character and legibility of the public realm/street network
- Some mitigation is provided by the proposed variation in the building heights and the placement of taller buildings at key junctions and terminating views within the layout
- Additional soft landscaping has been added, particularly along the PROW, which aids legibility and improves the general street scene

- Elsewhere the technical constraints and requirements of the site have precluded opportunities for further landscaping that would reinforce character, legibility and visual amenity.
- Proposed detailed design of buildings is more modern in approach than the existing surrounding context, which is beneficial in helping to create a new character with this “new neighbourhood” in accordance with the policy and SPD requirements.
- House types are considered to be acceptable and, whilst bolder proposals may have been more effective for the flats, the proposed designs are considered to be acceptable.
- Scale and proportions of the elevations are generally acceptable, although detailing, particularly at ground floor level to provide visual interest and relieve some of the massing of individual units, is minimal.
- Limited palette of elevational materials proposed, which appear to be acceptable.
- No details of the window frames have been provided though the drawings appear to show dark framed windows, which would be acceptable. White window frames would not be acceptable.
- Samples of materials/further detailed specification should be conditioned.

**Public Rights of Way** – No objection to the revised plans

**Sustainable Transport** – No objection, following the resolution of previously raised issues.

**Highways Structures** – No objection to the proposed development and offer the following comments;

- Details of rodding eyes and where the drainage system discharges to are required
- Is the wall being stepped down or does the top of the wall follow the slope?
- Details of brick slips required – what is the material and how are they fixed to the concrete? Coursing needs to be discussed and agreed
- Approval in Principle (AIP) required before detailed design is started
- Poor decision to hand over the maintenance of the planting between the wall and the kerb to a management company. Will lead to ambiguity over who can do what to the vegetation
- Solution is to remove the planting and harden the verge, so it can all be adopted highway
- Movement joints every 6m to 10m are required
- Root barrier system needs to have a base to prevent downward extension of root systems
- Southern end of western wall needs to have a 2m wide strip beyond the south and east of the wall
- Remove tree from the north end of the wall as it is too close to the wall

**Housing Enabling** – No objection and offer the following comments;

- 37 homes will be provided as affordable (35%)
- S106 Agreement requires 80% social rent and 20% shared ownership, which has been proposed.
- House types are in accordance with the s106
- Confirmation that the affordable units will be built to Lifetime Homes standard
- Clustering is not ideal but is in accordance with the s106
- Previous concerns regarding the house types have been addressed

- 2 units will be wheel chair accommodation and this is in accordance with the s106
- Concerns have been raised by the Occupational Therapist in terms of the internal layout and features of the wheelchair units.

**Public Open Space** – Offer the following comments;

- Concern over the source of water from the water troughs being from shed roofs. Should be a continual piped supply
- Submitted plans show compliance with the required amount of POS
- Concern over choice of planting in the play area. Proposed planting can be poisonous and this is inappropriate in a childrens play area
- Conditions should be imposed regarding the use of the tree pits
- Inspection chambers for the tanks are inaccurately shown. The section shows them in the safety zone of the play equipment, which differs from the drainage plan.

**Archaeology** – No objection, subject to condition

**Ecology** – No objection following revisions to the EPEP.

**Conservation Officer** – No comment

**Public Art** – Previous comments have not been addressed.

- The outline includes a condition for public art
- Any art proposals should be fully integrated into the site and expect this to come forward as part of the RM
- The developer has not been in contact regarding a public art plan not included details in the application

**Waste Officer** – Revised details are acceptable

**Environmental Protection** – No objection, subject to the submission of a CEMP and construction sites informative

**Arboriculture Officer** – Satisfied that provided the works are done in accordance with the Arboricultural document, the trees will be adequately protected

## **Other Representations**

### 4.4 Local Residents

The application was submitted in 2017 and has undergone substantial revisions following its submission. Following the receipt of amended plans in February/March 2019, which included the reduction in the number of dwellings from 110 to 105, the application has been readvertised with reconsultation with all interested parties, new site notices and new newspaper adverts. Following this reconsultation, 9 letters of objection received (from 7 interested parties), raising the following points;

- Height of the houses, should be ground and 1 floor not ground and 2 floors
- Local fields are going to become an eyesore
- Roads cannot deal with the traffic, especially with the 123 bedroom hotel
- Residential inconvenience
- Wildlife, safety, general area destructions, noise and environmental pollution are strong reasons why this application falls short of being acceptable
- Volume of traffic on Catbrain Hill is unsuitable
- This is likely to be a stepping stone to building more houses on other fields
- Will destroy a field/site with a lot of historical significance and beauty
- Adverse impact on wildlife



- Adverse impact on the character and appearance of the area
  - Housing association properties near existing residents can't be acceptable
  - Adverse impact on neighbours from construction traffic
  - Area provides nice countryside to residents which is a main benefits of living here
  - Concern over the increase from 2 storey to 3 storey dwellings
  - Concerns of the legality of these changes from the outline permission
  - Where will additional children go to school?
  - Adverse impact on newts and other wildlife
  - Highway safety matters
  - Existing parking issues on Catbrain Hill
  - Entrance to Catbrain Hill has an obstructed view causing a blind spot when driving in
- 4.5 Following the original submission of the application, 15 letters of objection from 9 interested parties were received, raising the following points;
- No room for additional traffic
  - Will cause significant disruption and inconvenience to existing residents
  - Concern regarding trees planted adjacent to property will grow to 10-18m high
  - Tree roots may undermine the foundations of the adjacent properties
  - Deciduous trees would not act as a screen to adjacent dwellings
  - No need to use Catbrain Hill as an entrance, there is another road available into the development
  - Doesn't make sense to demolish 2 houses to build more
  - Highway safety matters
  - Location of social housing is likely to impact current residents
  - Loss of privacy to 10B Catbrain Hill
  - Concerns over accuracy of the plans
  - Social housing should be spread throughout the site
  - Development should be closer to the Trym and further away from existing dwellings
  - Adverse impact on wildlife
  - Increase in pollution
  - Adverse impact on residents from construction traffic
  - Land ownership issues
  - The proposed bollard across a driveway will block access
  - Buildings should be two storey as originally submitted
  - 3 storey units will overpower the overall appearance of the development
  - Why will the footpath now go through the development and not around the edge as originally proposed?
  - 3 storey units are out of character with the surrounding area
  - Issues with the wheelchair units
  - Density and size of the houses will be detrimental to future occupiers

## 5. **ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

The principle of residential development on the site has been established through the granting of outline planning permission (ref: PT14/1886/O) and therefore the proposed development is considered acceptable in principle.

### 5.2 Design, appearance and layout

Core Strategy Policy CS1 seeks to ensure that new development is of the highest possible standard of design and is, inter alia, of an appropriate scale, form, appearance and layout that respects and enhances the character, distinctiveness and amenity of both the site and its context. The outline application sets out the parameters for the site, including the amount of development and the storey heights of the proposed dwellings. There is a condition on the outline permission requiring the reserved matters to be in accordance with the principles and parameters of the Design and Access Statement.

5.3 The application proposes the erection of 105 dwellings on a site area of 2.55ha, which includes the open space and associated infrastructure, and this equates to approximately 41 dwellings per hectare. Concerns have been raised by the Parish Council that the proposal represents overdevelopment of the site. The amount of development has been set out in the outline permission and the density is broadly in line with the adjacent dwellings.

5.4 The proposed layout follows the broad principles set out in the outline permission, with the residential accommodation forming blocks, with the open space sited to the south of the site, along the Trym. The proposed layout shows the dwellings fronting the public realm, which allows for natural surveillance.

5.5 Core Strategy Policy CS26 requires new development to improve movement throughout both the site and adjoining sites. The proposed layout would have linkages through the site to the existing residential development surrounding the site and the new neighbourhood at CPNN, through the existing public right of way that runs through the site from north to south.

5.6 The scale parameters for the proposed development were set out in the outline permission. The approved scale parameters allow for three storey dwellings across the majority of the site, with two storey dwellings along the eastern boundary and 2.5 storey dwellings on the southern part of the site. The proposed three storey units are predominantly to the north and west of the site. The proposed dwellings along the eastern boundary would be two storey with a mix of two and 2.5 storey units long the southern boundary. This is in line with the approved scale parameters from the outline.

5.7 Given the sloping nature of the site, there would be a requirement for cut and fill and a number of level changes to allow for the development of the site. This engineering work largely dictates the finished heights of the building and their relationships with the wider public realm. In light of this, the development could respond better to create and reinforce the character of the development and

the legibility of the public realm. The variation of the building heights, as set out in the previous paragraph, and the siting of taller buildings at key junctions and terminating views provides some mitigation.

- 5.8 The proposed dwellings have a more modern appearance than the surrounding dwellings, which would help to create a new character, which is in accordance with the requirements of the adopted policy. The proposed house types are considered to be acceptable. The scale and proportions of the proposed elevation are considered to be acceptable, though minimal detailing has been provided, particularly at ground floor level. Whilst this would add additional interest to the appearance, it is not considered that this would detract sufficiently from the appearance to warrant a reason for refusal.
- 5.9 The proposed materials are considered to be acceptable. No details of the proposed windows have been submitted, though the section plans show them to dark in colour. The use of a darker frame is considered to be acceptable, whereas a white frame would detract from the overall appearance of the development. A condition would be imposed on the decision to require the submission of samples prior to construction.
- 5.10 The proposed development is therefore considered, on balance, to respect the local context. The proposed development would be in accordance with the parameters set out in the outline planning permission, the requirements of Policies CS1, CS26, the CPNN SPD and the NPPF.
- 5.11 Residential amenity  
Policies, Sites and Places Plan Policy PSP8 requires that new development should not create unacceptable living conditions or have an unacceptable impact on the residential amenity of occupiers of the development or of nearby properties. Policy PSP 43 sets out the requirements for private amenity space, including the minimum space standards.
- 5.12 The proposal has been amended since submission to reduce the number of units on the site. This has allowed an increased in the size and the usability of the gardens. Although the size of private amenity space for a number of properties is less than the guide set out under Policy PSP43, there is no objection on this basis given that the proposed density has already been accepted in principle by virtue of the approved density plan. Several of the gardens would have high retaining walls to the rear though it is not considered that this would result in a significant adverse impact on the amenity of future occupiers. The proposed layout of the site would afford a good standard of amenity to future occupiers of the development.
- 5.13 Concern has been raised that there would be a loss of privacy to 10b Catbrain Hill. This property is separated from the site by the rear of New House and due to this distance and relationship, it is not considered that there would be a significant loss of privacy to this property. There are existing residential properties adjacent to the northern and eastern boundaries to the site. The back to back distances between the dwellings on Catbrain Hill and the proposed dwellings is over 50m and as such, there would be no significant adverse impacts on the properties on Catbrain Hill as a result of this proposal.

- 5.14 The nearest property to the site is Lane End, which is sited to the north east of the site. Plot 28 would be set to the rear of the property and there would be a garage between the dwelling and the boundary. In view of this relationship, it is not considered that there would be any significant adverse impacts on the residential amenity of the existing occupiers of Lane End.
- 5.15 Concerns have been raised about the potential impact on the adjoining residential neighbours from construction traffic. As this is a reserved matters application, the principle of residential development on the site has been accepted through the outline permission, which included a condition requiring the submission of a Construction Management Plan (CEMP). This document has been approved by the Council under ref: DOC18/0001.
- 5.16 Landscape and Public Open Space  
The landscaping scheme has been amended since the submission of the application in line with the Landscape Architect's comments.
- 5.17 Concerns were raised on the original submission that the tree roots adjacent to the entrance would have the potential to undermine the foundations of adjacent properties. These trees have been amended to species that would not reach more than 10m in height. These trees would also have a root barrier to protect the adjacent properties from the roots. The proposed root barriers are shown on the submitted plans but it is unclear from the submitted information the precise location of the root barrier for these trees due to the red line boundary. A condition will be imposed requiring the precise location this root barrier prior to the planting of this tree in order to ensure the adjacent properties are adequately protected.
- 5.18 There has been amendments to the species mix of plants in various parts of the site to create a less homogenous appearance and this is welcomed. There has been additional fruit trees put into the rear gardens of the proposed dwellings and additional street trees have been provided. A condition will be imposed to require the submission of a lighting plan to ensure that there is no interference between the proposed street lighting, which has not yet been submitted, and the proposed landscape.
- 5.19 The outline permission envisaged a landscape/ecological corridor along the western retaining wall. Following discussions with the Highways team, it is apparent that the retaining structure required on this boundary would preclude the provision of significant landscaping along this boundary, though there is the provision of low level landscaping, which would provide some softening of the boundary. It is therefore considered that this is acceptable.
- 5.20 The allotments have been amended since submission to include demountable fencing to allow the Environment Agency access in an emergency and to remove the sheds out of the buffer zone. The level of allotments proposed is in accordance with the requirements of the s106 and is acceptable.
- 5.21 The proposed play area is acceptable in terms of its size and range of equipment. It is proposed to site the attenuation tank under the play area.

There is no objection in principle to this, through there is some discrepancy between the plans with regards to the location of the inspection chambers. They appear to be correctly identified on the drainage plan, whereas the section plans of the tank would have them in the safety area around the play equipment, which would not be acceptable. In view of this, a condition will be imposed on the permission requiring the submission of accurate information detailing the precise locations of the inspection chambers to demonstrate that the play equipment would be unaffected by the chambers prior to commencement of development.

5.22 The amount of public open space across the development is in accordance with the requirements of the s106. Some of the retaining walls are shown within the open space and would be the responsibility of the management company. The applicant is aware that there is likely to be inspection fees from the Council in association with this and this is being dealt with as part of the s106 from the outline application.

5.23 The proposed development is therefore considered to provide sufficient open space and landscaping, in accordance with the requirements of Policies CS1 and PSP2.

5.24 Highways

Access was approved as part of the outline permission and as such, this application is concerned with the internal layout of the roads and the proposed parking. The principle of using Catbrain Hill as a means of access for the proposed dwellings, including matters relating to highway safety and suitability, has been accepted following the granting of outline planning permission.

5.25 Due to the sloping nature of the site, engineering works would be required to facilitate the level changes. This would necessitate the provision of retaining walls adjacent to the highway. There would be a 1.1m wall (on the site side) along the western boundary, which would be adopted by the Highways Authority.

5.26 The Highways Structures team have made various comments on the retaining walls around the site. They have requested the removal of a tree adjacent to the western wall and the proposed vegetation. In order to accommodate the development on the site in line with the parameters set out in the outline permission, a high level of engineering and highway is required. The outline application envisaged an ecological corridor along this western boundary, which cannot be accommodated due to the technical highway requirements. Having considered the comments from the Structures team, there would be no objection to the loss of the proposed tree as it would likely to be removed as part of the technical approval stage. The vegetation to the front of the wall will be retained to provide some softness to this boundary and result in a better outlook for the adjacent residents. The Management Company would be responsible for this under licence and it is not considered that this would result in any adverse highway impacts.

- 5.27 The proposed internal layout would provide sufficient space for vehicles to manoeuvre safely and would not prejudice the safety of pedestrians and cyclists across the site. The revised information has demonstrated that the slopes for the waste collection points is acceptable and in accordance with the requirements of the SPD. There is sufficient parking, both on and off street, to accommodate future occupiers and visitors, without resulting in any adverse impacts on highway safety.
- 5.28 Ecology  
The application is accompanied by an Ecological Protection and Enhancement Plan (EPEP), which has been amended since submission to correspond with the submitted reserved matters application. The Council's Ecologist is satisfied that the EPEP is acceptable.
- 5.29 Concerns have been raised in the representations that development on the site would have a detrimental impact on wildlife and result in a loss of habitat. The principle of the residential development has been accepted through the granting of the outline planning permission. There is a condition on the outline permission requiring the approval of the EPEP prior to the commencement of development. It is therefore not considered that any loss of habitat would be unacceptable.
- 5.30 The EPEP states that the allotment fencing should have provision for hedgehog holes to allow access for foraging and commuting. The submitted plans do not have provision for this. A condition will be imposed on the permission requiring the submission of details of the fence showing this provision prior to its construction.
- 5.31 A representation has raised concern that the protective fencing for newts on the site has been broken and the pond next to the site is a large breeding area for newts. The protective fencing is in place to prevent the recolonization of the site by slowworms, which have been relocated onto adjacent land. The applicants' consultants are aware the fence has been broken and this is being repaired. The ponds with great crested newts are on the other side of the Henbury Trym, on the Filton airfield land. This is a small population, who would not be able to access the site during the terrestrial phase of the year as the Trym would be a barrier for them migrating away from the ponds. It is not considered that the proposed development would have an adverse impact on the nearby newt population.
- 5.32 Affordable Housing  
The application proposes 37 affordable dwellings across the development. This equates to 35% of the development, which is in line with the requirements of the s106. The s106 requires the affordable units to be split with 80% being social rent (30 units) and 20% shared ownership (7 units). This is being proposed within the development although the shared ownership units are labelled on the submitted drawings as shared equity. Whilst the applicant has confirmed it is their intention to provide shared ownership, it should be noted that this is a requirement of the s106 and the labelling of the units on the drawings as shared equity would not override their responsibilities in terms of

the legal agreement. The range of house types proposed is considered to be in accordance with the s106.

- 5.33 The layout shows clusters of 5 units across the site with 12 units in the apartment block. Whilst this clustering is not ideal, it is in line with the requirements of the s106. Concerns have been raised by neighbouring occupiers about the siting of the affordable units. These concerns were raised prior to the receipt of amended plans, which show the affordable units spread across the site and in compliance with the s106. In view of this, the siting of the affordable units on the site is considered to be acceptable.
- 5.34 The Council's Occupational Therapist has raised concerns regarding the acceptability of the wheelchair units. The size of the proposed wheelchair units is in accordance with the requirements and the comments primarily relate to the internal layout. The applicant has confirmed that the proposed units will meet the Council's Wheelchair Specifications and the Registered Provider will require these matters to be resolved prior to taking on the units. The approved layout would not override the requirements of the s106 and it is considered that this can be dealt with post determination.
- 5.35 The level, design and distribution of the affordable house is therefore considered to be acceptable and in accordance with the requirements of Policy CS18 and the SPD.
- 5.36 Drainage and flood risk  
The Henbury Trym is adjacent to the southern boundary of the site. The Environment Agency (EA) objected to an earlier proposal as there is a requirement for an 8m access strip along the Henbury Trym to allow the EA's Operations Team access for maintenance and in emergencies. The proposed allotments would be sited within this 8m access strip. Following discussions with the EA and the applicant, the scheme has been amended to include demountable fences for the allotments, which would allow them access in case of emergency and the EA have agreed this is acceptable. The scheme has been amended to remove sheds and other permanent structures from this buffer and this is considered to be acceptable.
- 5.37 There would be an attenuation tank sited underneath the play area. Matters regarding the inspection chambers have been discussed at paragraph 5.21. The LLFA has raised concerns regarding the maintenance of the tank, as the Surface Water Drainage Plan, whilst it sets out the principles for the management and maintenance principles for the surface water drainage, it does not provide the detailed operation and management, including details of the management company that will be responsible for the tank. The s106 that accompanied the outline permission requires the submission of a detailed management and maintenance scheme for approval prior to the occupation of the first dwelling. The applicant has confirmed that it is their intention to have single management entity for both the management and maintenance of the POS and the surface water infrastructure in accordance with the s106 and this is considered to be acceptable.

- 5.38 The submitted drainage details are considered to be acceptable and would not result in an increased risk of flood risk to the site or adjoining occupiers.
- 5.39 Public Right of Way  
There is a PROW that runs north south across the site. The line that is used for the PROW differs from the formally adopted PROW. Following discussions with the PROW team, the PROW will be diverted through the middle of the development, broadly in line with the currently used line. Amendments have been made to ensure that the northern end of the PROW complies with DDA legislation and the revised plans are now considered to be acceptable.
- 5.40 Other matters  
*Public Art*  
There is a condition on the outline permission for the submission of a detailed public art scheme. The Public Arts Officer has asked for this to be addressed as part of this submission. Following discussions with the applicant, the public art will be sited on the retaining walls adjacent to the PROW. In light of the requirements of the condition, it is considered that additional details of the public art are not required as part of this application and can be dealt with through the discharge of conditions.
- 5.41 *Archaeology*  
The Archaeologist has requested a condition requiring the submission and approval of a programme of archaeological works prior to the commencement of development. There is a similar condition on the outline permission, which had not been discharged at the time the comments were received. The condition has now been discharged and no additional archaeological work is required.
- 5.42 Consideration of likely impact on Equalities  
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. As a result of that Act the public sector Equality Duty came into force. Among other things, the Equality Duty requires public bodies to have due regard to the need to: eliminate discrimination; advance equality of opportunity; and, foster good relations between different groups when carrying out their activities. Under the Equality Duty, public organisations must consider how they could positively contribute to the advancement of equality and good relations. This should be reflected in the policies of that organisation and the services it delivers. The Local Planning Authority is statutorily required to apply the Equality Duty to its decision taking. With regards to the Duty, the development contained within this planning application is considered to have a neutral impact as equality matters have duly been considered in planning policy.

## **6. CONCLUSION**

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.



- 6.2 The recommendation to approve reserved matters consent has been taken having regard to the policies and proposals development plan and to all the material considerations set out in the report.

## **7. RECOMMENDATION**

- 7.1 Reserved matters consent is APPROVED, subject to the conditions below.

**Contact Officer: Suzanne D'Arcy**  
**Tel. No. 01454 865065**

### **CONDITIONS**

1. All hard and soft landscape works hereby approved shall be carried out in accordance with the details hereby approved. The works shall be carried out in the first planting season prior to the occupation of the final dwelling approved or in accordance with the programme agreed in writing by the Local Planning Authority.

#### Reason

In the interests of the character and appearance of the area, and to accord with Policy PSP2 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (adopted) November 2017 and Policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

2. Any trees or plants shown on the landscaping scheme hereby approved, which die, are removed, are damaged or become diseased within 5 years of the completion of the approved landscaping scheme shall be replaced by the end of the next planting seasons. Replacement trees and plants shall be of the same size, location and species as those lost.

#### Reason

In the interests of the character and appearance of the area, and to accord with Policy PSP2 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (adopted) November 2017 and Policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

3. Prior to the construction of development above Damp Proof Course (DPC) level, samples of all external materials, including render and roofs, shall be submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with details so approved.

#### Reason

To ensure an adequate standard of external appearance and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013

4. Prior to the construction of development above Damp Proof Course (DPC) level, the design and details, including materials and finishes of the following items on all dwellings shall be submitted to and approved in writing by the Local Planning Authority:
  - (i) Eaves, verges and ridges
  - (ii) All windows (including cill, reveal and lintels)

(iii) Extracts, vents, flues and meter boxes

The design details shall be accompanied by elevations and section drawings to a minimum scale of 1:5 together with cross section profiles. The scheme shall be implemented strictly in accordance with the approved details.

Reason

To ensure an adequate standard of external appearance and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013

5. The off-street parking facilities for all vehicles, including cycles, shown on the plans hereby approved shall be provided for the plot to which it relates before the corresponding building is first occupied, and thereafter retained for that purpose.

Reason

In the interested of the amenities of the site and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013

6. The bin storage shown on the drawings hereby approved shall be provided before the corresponding dwellings are first occupied and thereafter retained for that purpose.

Reason

In the interested of the amenities of the site and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013

7. The tree pits shown on the drawings hereby approved shall be undertaken under the supervision of the manufacturer.

Reason

In the interests of the character and appearance of the area, and to accord with Policy PSP2 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (adopted) November 2017 and Policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

8. Prior to the installation of the attenuation tank, details of the manhole covers, including materials and plans and sections at a scale of not less than 1:25, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the details so approved.

Reason

In the interests of safety of the play area users and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013

9. Prior to the commencement of drainage works relating to the attenuation tank, detailed information accurately showing the locations of the inspection chambers for the tank shall be submitted to and approved in writing by the Local Planning Authority. These details shall include scaled plans of the play area, showing the locations of the inspection chambers in relation to the proposed play equipment, , and accurately corresponding sections through the attenuation tank showing the inspection chambers. The development shall thereafter be carried out in accordance with the details so approved.

Reason

To avoid conflicts between the inspection chambers and the play equipment and in the interests of the safety of play area users, to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013

10. Notwithstanding the submitted details, prior to the erection of the allotment fencing, details of the fence showing hedgehog holes shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the details so approved.

Reason

To safeguard wildlife on the site and to accord with Policy PSP19 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (adopted) November 2017

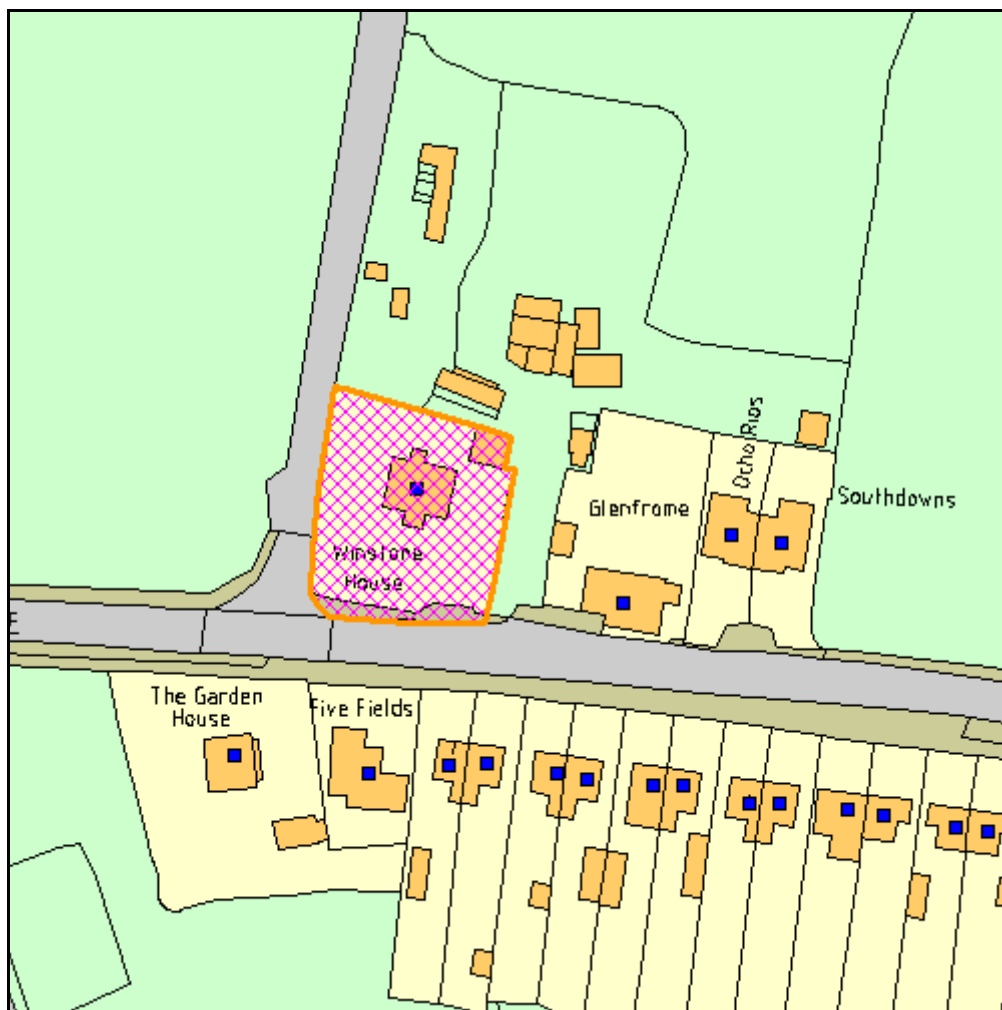
11. Prior to the planting of the landscape shown on Landscape drawing 3 of 4, details of the root barriers adjacent to the access road shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the details so approved.

Reason

In the interests of safeguarding the trees on the site and to accord with Policy PSP2 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (adopted) November 2017 and Policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

## CIRCULATED SCHEDULE NO. 15/19 – 11 APRIL 2019

<b>App No.:</b>	PT18/6430/F	<b>Applicant:</b>	Ms Lyons
<b>Site:</b>	Winstone House Beacon Lane Winterbourne Bristol South Gloucestershire BS36 1JU	<b>Date Reg:</b>	20th December 2018
<b>Proposal:</b>	Demolition of existing building and erection of 5no attached dwellings with access, parking and associated works (Amendment to previously approved scheme PT17/5503/F).	<b>Parish:</b>	Winterbourne Parish Council
<b>Map Ref:</b>	364530 180599	<b>Ward:</b>	Winterbourne
<b>Application Category:</b>	Minor	<b>Target Date:</b>	18th February 2019



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N.T.S.

PT18/6430/F

South Gloucestershire Councillors have five working days from date of publication to consider whether items appearing on the Circulated Schedule should be referred to the Development Management or Strategic Sites Delivery Committees for determination.

## **REASONS FOR REPORTING TO CIRCULATED SCHEDULE**

The application has been subject to representations contrary to the findings of this report, with the number of contrary representations made exceeding a total of three. Furthermore, a representation has been made by the parish council, which is contrary to the findings of this report. Under the current scheme of delegation it is therefore required to be taken forward under the Circulated Schedule procedure.

### **1. THE PROPOSAL**

- 1.1 Planning permission is sought for the demolition of an existing building and the erection of 5 no attached dwellings with access, parking and associated works. The application relates to Winstone House, Beacon Lane, Winterbourne.
- 1.2 The application site consists of a detached dwelling set centrally within a large plot. The site is located along Beacon Lane; one of the main routes in to Winterbourne. The site is located within the defined settlement boundary of Winterbourne, and outside of the Bristol and Bath Green Belt. However the Green Belt boundary runs along the western and northern extremities of the site, with the areas immediately to the west and north of the site opening out in to open countryside.
- 1.3 The application forms a re-submission of previously approved application PT17/5503/F. The only significant alteration to the scheme is the repositioning of the application site boundary, which has been relocated slightly to the east.
- 1.4 Revised plans were received by the Local Planning Authority on 28<sup>th</sup> March 2019. The revisions include alterations to the application site boundary, as well as alterations to the proposed landscaping. The changes to the application site boundary triggered a further round of consultation, which was carried out from 29<sup>th</sup> March 2019 – 12<sup>th</sup> April 2019.

### **2. POLICY CONTEXT**

#### **2.2 Development Plans**

##### **South Gloucestershire Local Plan Core Strategy Adopted December 2013**

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS18	Affordable Housing

South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017

PSP1	Local Distinctiveness
PSP2	Landscape
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP20	Flood Risk, Surface Water and Watercourses
PSP38	Development within Existing Residential Curtilages, Including Extensions and New Dwellings
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) 2007

Residential Parking Standards SPD (Adopted) 2013

Waste Collection Guidance for new Developments SPD (Adopted) 2015

**3. RELEVANT PLANNING HISTORY**

**3.1 PT17/5503/F**

Demolition of existing building and erection of 5no attached dwellings with access, parking and associated works.

Approved: 27.04.2018

**3.2 N3811/2**

Construction of vehicular access.

Approved: 26.04.1979

**3.3 N3811/1**

Erection of double garage, rear single storey lobby and kitchen extension and front porch.

Approved: 16.03.1978

**3.4 N3811**

Erection of two storey extension at rear to provide dining room with bedroom over; alterations to roofline and erection of front entrance porch.

Approved: 15.09.1977

**3.5 PT17/1715/F – Land to north of application site**

Demolition of existing outbuildings and erection of 2no. detached dwellings with access, parking, landscaping and associated works.

Refused: 29.06.2017

Appeal Dismissed: 21.02.2018

**3.6 PT16/5209/F – Glenfrome (east of application site)**

Demolition of existing building. Erection of 4 no. dwellings with new access, parking and associated works.

Approved: 07.02.2017

**4. CONSULTATION RESPONSES (FIRST ROUND OF CONSULTATION)**

**4.1 Winterbourne Parish Council**

Objection for following reasons:

- Introduction of traffic island will be dangerous and will affect egress and ingress of neighbouring properties.
- Narrowing of road will cause danger to cyclists.
- Concern that there is no visitor parking and no pavement outside properties.
- Stone wall is shown as boundary, and area to front must be vested in Highways Authority. Shown as part of application site.
- No bat survey prepared.

**4.2 Other Consultees**

**Sustainable Transport**

- Understand that application broadly represents resubmission of a previous application, to which the Highway Authority raised no objection.
- Despite fact that site layout has been amended slightly as to reposition properties within site, understand that the development has not been materially altered.
- Critically from a highways or transportation development control point of view, the same number of houses and bedrooms are present, the off-street car parking provision is the same and site access arrangements have not been materially altered.
- Therefore have no further comment to make.
- However two conditions placed on previous permission should be carried over.
- Do also not feel that slight amendment to frontage of site, as made during application process, would have material impact in transportation terms.

Lead Local Flood Authority

No objection subject to SUDS condition.

Highway Structures

No comment

Landscape Officer

- Lacks detailed landscape scheme.
- The development depends too much on landscape buffer/structure from existing off-site planting on the west boundary. Compared to the previous application the houses push up even closer to the west boundary - negative impact on open countryside.
- Suggest house A be omitted to accommodate boundary landscape buffer.
- Parked cars will be elevated above road level and screening dependent on successful sufficient shrub planting - risk of visual intrusion.
- No scale bar on drawing to assess planting bed width - looks too narrow. Suggest cross section also needed.

Ecology Officer

The building does not meet any criteria that would trigger the need for bat surveys. Therefore, there is no ecological objection to this application.

Archaeology Officer

No comment

Community Infrastructure

As this application falls below the POS threshold of more than 10 dwellings and there appears to be no POS on site, it would not trigger policy CS24 requirement. We therefore have no comments to make.

Housing Enabling

The application is in replacement of PT17/5503/F due to an incorrect site boundary. The correction of this issue has no impact on the Affordable Housing requirement, which being for just 5 units did not reach any of the thresholds for Affordable Housing covered in CS18 or the NPPF.

**Other Representations**

4.3 Local Residents

A total of 4 letters of objection were received during the statutory consultation period. The main concerns raised are summarised below:

- Proposed traffic island conflicts with opposite drives of The Garden House and Five Fields. Would make it difficult to enter and exit aforementioned driveways.
- Diagram showing design for traffic island and turning radii is not true reflection on how you exit and enter driveways – which takes considerable time to ensure safe exit.



- Turning calculations have been taken from gates of neighbouring properties, and not from road kerb.
- Would not be possible to accelerate promptly, as is required given speed of traffic on road.
- Consultant has used 12 year old car in calculations, which is smaller than most.
- Even though there is 30mph speed limit, some vehicles travel in excess of this speed limit and residents often have difficulty accessing drives.
- Island may obstruct emergency vehicles and impact ability to plough snow.
- Trust that technical approval of construction details will allow neighbouring residents to safely enter and exit driveways.
- No street lighting after 12pm, so traffic island will not be illuminated and will create traffic hazard.
- Only minimum parking provided for development. No visitor parking, which will result in parking on road – highway safety hazard.
- Beacon Lane is fast, busy road. Original survey takes no account of significant increase in traffic caused by opening of Stoke Gifford Bypass.
- Cars turning in nearby gateway have caused a number of road accidents – no recognition of these in transport report.
- Increased vehicular and pedestrian movements at site entrance will constitute highway safety hazards.
- Would be much better to create one access for both developments involving Winstone House and Glenfrome.
- Appears that Council land is being used to improve visibility splays.
- Note that no bat survey has been submitted. Regularly see bats within site and worry that they are nesting in building to be demolished.

One letter of support was also received. The main points raised are set out below:

- Development offers affordable family housing which is desperately needed in the Beacon Lane area of Winterbourne, it also offers far greater use of the land.
- Traffic calming measures would benefit lane.
- Modern terrace of affordable family housing would have more attractive visual impact.

## **5. CONSULTATION RESPONSES (SECOND ROUND OF CONSULTATION)**

### **5.1 Winterbourne Parish Council**

No further comments received at time of writing report.

### **5.2 Other Consultees**

#### **Sustainable Transport**

No further comments received at time of writing report.

Lead Local Flood Authority

Comments as previous.

Highway Structures

No comment

Landscape Officer

No further comments received at time of writing report.

Ecology Officer

No comment

Archaeology Officer

No further comments received at time of writing report.

Community Infrastructure

No further comment

Housing Enabling

No comment

**Other Representations**

4.3 Local Residents

2 letters of objection were received during the second round of consultation. The main concerns raised are summarised below:

- Block plan still fails to show how proposed pedestrian refuge will interact with opposite driveways.
- Position will still make it hazardous to use neighbouring driveways.
- Footpath leading to crossing is not sufficiently wide.
- Full length pavement which runs full northern edge of Beacon Lane should be provided.

**6. ANALYSIS OF PROPOSAL**

6.1 Principle of Development

Planning permission is sought for the demolition of an existing dwelling and the erection of 5no. dwellings. Policy CS5 of the Core Strategy outlines the locations at which development is considered appropriate. CS5 dictates that most new development in South Gloucestershire will take place within the communities of the north and east fringes of the Bristol urban area, and within defined settlement boundaries. The application site is situated within the defined settlement boundary of Winterbourne. As such, based solely on the location of the site, the development is acceptable in principle. The acceptability of the development in principle was also established under the previously approved application.

- 6.2 The principle of development is acceptable under the provisions of policy CS5, and it is acknowledged that the provision of four additional dwellings towards

housing supply would have a moderate socio-economic benefit. However the impacts of the development require further assessment to identify any potential issues. The material considerations (issues) relevant to this application are outlined below.

6.3 Design and Visual Amenity

Policy CS1 of the Core Strategy seeks to ensure that development proposals are of the highest possible standards and design. This means that developments should have appropriate: siting, form, scale, height, massing, detailing, colour and materials which are informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context. Policy CS1 is fully compliant with design guidance in the NPPF.

6.4 Furthermore, Policy PSP1 of the Policies, Sites and Places Plan outlines that development proposal should demonstrate an understanding of, and respond constructively to the buildings and characteristics that make a particularly positive contribution to the distinctiveness of the area /locality.

6.5 The location is characterised by a mix of housing types and ages that are each of their time. There is no one particular local distinctiveness that needs to be complied with. The existing property at Winstone House has a simple form, and is set slightly back within the plot. Given its form and siting, the existing dwelling is not considered to contribute significantly to the immediate streetscene or the character of the immediate surrounding area. Therefore its loss is not resisted.

6.6 In terms of the appearance of the proposed dwellinghouses, the only deviation from the consented scheme is a slight alteration to the dimensions of the dwellings. Due to the reduction in the size of the application site, the width of each dwelling has been reduced by 440mm. In order to provide similar levels of floor space, the depth of each unit has been increased by 650mm. Having compared the new plans to the previously consented scheme, it is not considered that the altered dwellings would have any greater impact on visual amenity. As such, the changes to the dimensions are considered acceptable from a visual perspective.

6.7 Overall, it is considered that an acceptable standard of design has been achieved. The proposal therefore complies with policy CS1 of the Core Strategy, and policy PSP1 of the Policies, Sites and Places Plan.

6.8 Landscape Impact

Policy PSP2 of the Policies, Sites and Places Plan outlines that development proposals should seek to conserve and where appropriate enhance the quality, amenity, distinctiveness and special character of the landscape.

6.9 It is acknowledged that the landscape officer has raised some concerns regarding the impact of development on the open, rural landscape to the west of the site. In terms of the previously approved scheme, whilst landscape concerns were raised, the overall impact was not considered so severe as to substantiate a reason for refusing the application.

- 6.10 The main difference between the approved scheme and the current scheme is the amended site boundary and the subsequent re-siting of the proposed dwellings slightly to the east. As such, the existing boundary hedge situated immediately to the west of the site would not be removed as part of the development, as was the case with the previously approved application.
- 6.11 The existing hedgerow is considered to provide a valuable buffer between the application site, and the more rural, open landscape to the west. It is however acknowledged that as the hedgerow falls outside of the application site, it is not possible to secure its retention, and the hedgerow could at any time be removed by the landowner. However there is no evidence to suggest that the hedgerow would be removed, and as such the mitigation that the hedgerow would provide from a landscape perspective can be given some weight.
- 6.12 During the course of the application process, the proposal has also been amended to incorporate an extended landscaping area to the frontage of the site; thus partially screening the proposed parking area from view. The close boarded fence to be situated to the rear of the westernmost dwelling has also been replaced by a native species hedge.
- 6.13 Having compared the two proposals, it is not considered that the revised proposal would have any greater impact from a landscape perspective than the approved scheme. The overall impact of the development on the open, rural landscape to the west of the site is not considered to be severe. Furthermore, a planning condition requiring the submission of a detailed landscaping plan following determination will ensure that the appropriate treatment subject to this development is acceptable in landscape terms. The proposal is therefore considered to be broadly consistent with policy PSP2.
- 6.14 Residential Amenity  
Policy PSP8 of the Policies, Sites and Places Plan outlines that development proposals will be acceptable provided that they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of the occupiers of the development or of nearby properties. Unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.
- 6.15 No issues regarding residential amenity were identified as part of the previously approved scheme. It is not considered that the minor amendments to the proposal would result in any greater impact on residential amenity. The only consideration in this respect is the increase in the depth of the buildings, which would result in a slightly reduced area of private amenity space to the rear of the dwellings. However in order to off-set this, the dwellings have been shifted forwards by 650mm. As such, the same amenity space provision would be made.
- 6.16 Overall it is not considered that the development would have any unacceptable impacts on residential amenity. However as per the previous consent, a condition restricting permitted hours of operation during the construction period

will be attached to any decision. Subject to this condition, the proposal is considered to accord with policy PSP8 of the Policies, Sites and Places Plan.

6.17 Highway Safety and Parking Provision

In terms of site access, no fundamental concerns were raised as part of the previous application. The access now proposed is not materially different to the approved access, and has been through the Road Safety Audit procedure and is considered acceptable subject to compliance with the requirements of the RSA. As per the previous consent, in order to avoid any unacceptable impacts during the construction period, a condition will be attached to any consent requiring the submission of a Construction Environmental Management Plan.

6.18 The concerns raised by residents regarding the opening of the Stoke Gifford Bypass have been taken in to account. It is acknowledged that the opening of this road may have had some impact on traffic movements immediately adjacent to the site. However on the basis that the proposed access is considered acceptable, and given the scale of development, the overall impact on highway safety is not considered to be severe.

6.19 The concerns raised by residents regarding the conflict between the proposed traffic island and adjacent accesses have also been taken in to account; and it is acknowledged that the same concerns were raised as part of the previous application. Despite the concerns, the transport officer is satisfied that the proposed traffic island would not cause an unacceptable conflict; to the detriment of highway safety. Notwithstanding this, a condition will be attached to any consent, requiring the technical details of the proposed access and any surrounding pedestrian infrastructure to be agreed prior to the commencement of development. The specification of any works to the highway will also need to be agreed with the Highway Authority, prior to any such works being carried out.

6.20 With regard to parking provision, policy PSP16 of the Policies, Sites and Places Plan sets out the minimum parking standards for residential development. PSP16 outlines that a minimum of 2 parking spaces should be provided for both 3 and 4 bed dwellings. As per the approved scheme, a total of 10 spaces would be provided to the front of the site, which would equate to 2 spaces per dwelling. The arrangement of the spaces is considered to be acceptable, and the development therefore complies with PSP16 in this regard. For the avoidance of doubt, a condition will be attached to any decision, requiring the parking arrangements as shown on the proposed block plan to be implemented prior to the first occupation of any units.

6.21 The concerns raised regarding a lack of visitor parking have been taken in to consideration. Under PSP16, 0.2 parking spaces should be provided per residential unit, with visitor parking spaces required for residential developments consisting of 5 or more units. On this basis, a total of one visitor parking space should be provided as part of the development. No visitor parking spaces are proposed, and as such, the proposal technically fails against this part of PSP16.

- 6.22 However given the scale of development, the overall impact in this respect is limited. It is considered that informal parking could be achieved on-site, which would reduce the risk of additional on-street parking. On the basis that only one visitor parking space would be required, it is not considered that the development would lead to an unacceptable increase in on-street parking in the locality.
- 6.23 Paragraph 109 of the National Planning Policy Framework outlines that development should only be refused on highway grounds where there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. On the basis of the assessment set out above, it is not considered that the development would have any unacceptable or severe impacts.
- 6.24 Cycle and Bin Storage  
A potential cycle/bin storage area has been identified on the proposed block plan. The store would be located at the entrance to the site. With regards to waste collection, this area is considered to be a suitable location for the storage of bins. Cycle storage areas have also been designated in the rear garden areas of each dwelling. Overall, the cycle and bin storage areas are considered acceptable.
- 6.25 Flood Risk  
No fundamental issues regarding site drainage of flood risk have been identified at this stage. However further details relating to surface water drainage will be requested by condition.
- 6.26 Affordable Housing  
As the scheme does not reach any of the thresholds for affordable housing, there is no requirement for any affordable units.
- 6.27 Archaeology  
Due to the location of the site within an area of archaeological potential, and as per the previous consent, a condition for a programme of archaeological work will be applied to any consent.
- 6.28 Ecology  
The ecology officer has reviewed the scheme, and concluded that the development proposal does not trigger the submission of a preliminary ecological appraisal. As such this has not been requested, and there are no significant concerns with the development from an ecological perspective.
- 6.29 Equalities  
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could

positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.

6.30 With regards to the above this planning application is considered to have a neutral impact on equality.

6.31 Planning Balance

It is acknowledged that the provision of four additional units towards housing supply in South Gloucestershire would have a moderate socio-economic benefit. Having assessed the application against relevant planning policy, some issues regarding the impacts of the development on the adjacent landscape and the undersupply of visitor parking spaces have been identified. However when considered as a whole, the overall socio-environmental harm is considered to be modest. On balance, it is considered that the benefits of the proposal would outweigh any harm, and that the proposal would be sustainable development. On this basis, it is concluded that the application should be approved.

## 7. CONCLUSION

7.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.

7.2 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 set out above, and to all the relevant material considerations set out in the report.

## 8. RECOMMENDATION

8.1 That the application be **APPROVED** subject to the conditions included on the decision notice.

**Contact Officer: Patrick Jackson**  
**Tel. No. 01454 863034**

## CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).

2. Prior to the commencement of development a plan showing the trees and other vegetation to be protected and the means of protection during construction (in line

with BS 5837:2012), as well as details of any proposed landscaping, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved plan.

Reason

To protect the character and appearance of the surrounding landscape, to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies PSP1 and PSP2 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

This is required to be agreed prior to the commencement of development to avoid causing damage to existing trees and vegetation during any ground works.

3. The hours of working on site during the period of construction shall be restricted to 0730 - 1800 on Mondays to Fridays and 0800 - 1300 on Saturdays; and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policies PSP8 and PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

4. Prior to the commencement of development, construction details of the access and the surrounding pedestrian infrastructure need to be submitted for technical approval, with no occupation of the proposed development until the vehicle and pedestrian access and infrastructure has been completed in accordance with the approved details.

Reason

In the interests of highway safety, and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

This is required to be agreed prior to the commencement of development to avoid any unnecessary remedial action in the future.

5. Prior to the commencement of development, a site specific Construction Environmental Management Plan (CEMP) shall be agreed in writing with the Local Planning Authority. The CEMP as approved by the Council shall be fully complied with at all times.

For the avoidance of doubt the CEMP shall include but not limited to measures to control the tracking of mud off-site from vehicles, measures to control dust from the demolition construction works approved, Contractor parking and storage of materials.



Reason

In the interests of highway safety, and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

This is required to be agreed prior to the commencement of development as it relates to the construction period.

6. Prior to the first occupation of the dwellings hereby approved, the car parking provision for the proposed dwellings shall be implemented in accordance with the approved Block Plan (Drawing no. 17/1711/003 G) and retained thereafter for that purpose.

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013; Policy PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the South Gloucestershire Residential Parking Standards SPD (Adopted) December 2013.

7. No development shall commence until surface water drainage details including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection have been submitted and approved by the Local Planning Authority. Thereafter the development shall proceed in accordance with the agreed details.

Reason

To comply with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and National Planning Policy Framework 2019.

This is required to be agreed prior to the commencement of development to avoid any unnecessary remedial action in the future.

8. Prior to the commencement of development a programme of archaeological investigation and recording for the site shall be submitted to and approved by the Local Planning Authority. Thereafter, the approved programme shall be implemented in all respects, unless the Local Planning Authority agrees in writing to any variation.

Reason

In the interest of archaeological investigation or recording, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

This is required to be agreed prior to the commencement of development to avoid causing damage to any items of archaeological interest.

9. The development shall be carried out in accordance with the following plans:

Existing Block Plan (Drawing no. 17/1711/001 A)  
Proposed Floor Plans (Drawing no. 17/1711/100 B)

Existing Front and Rear Elevations (Drawing no. 17/1711/110)  
Existing Side Elevations (Drawing no. 17/1711/111)  
Proposed Front Elevation (Drawing no. 17/1711/120 B)  
Proposed Rear Elevation (Drawing no. 17/1711/125)  
(Received by Local Authority 19th December 2018)

Site Location Plan (Drawing no. 17/1711/001 A)  
Proposed Block Plan (Drawing no. 17/1711/003 G)  
Proposed Side Elevations (Drawing no. 17/1711/121 D)  
Proposed Streetview (Drawing no. 17/1711/200 C)  
(Received by Local Authority 28th March 2019)

**Reason**

In the interests of proper planning and for the avoidance of doubt.